

From: Adm14Pruitt, Scott
Location: Administrator's Office
Importance: Normal
Subject: CNN Interview re: hurricane preparedness
Start Date/Time: Fri 9/8/2017 2:15:00 PM
End Date/Time: Fri 9/8/2017 2:30:00 PM

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Sent by Microsoft Exchange Server

From: Ford, Hayley
Location: Del Frisco's
Importance: Normal
Subject: Lunch with Chuck Todd, MSNBC
Start Date/Time: Fri 9/29/2017 4:00:00 PM
End Date/Time: Fri 9/29/2017 5:15:00 PM

From: Adm14Pruitt, Scott
Location: Del Frisco's
Importance: Normal
Subject: Lunch with Chuck Todd, MSNBC
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Sent by Microsoft Exchange Server

From: Adm14Pruitt, Scott
Location: Administrator's Office
Importance: Normal
Subject: Time Magazine with Justin Worland
Start Date/Time: Wed 10/18/2017 1:30:00 PM
End Date/Time: Wed 10/18/2017 2:00:00 PM

Your meeting was found to be out of date and has been automatically updated.

Sent by Microsoft Exchange Server

From: Ferguson, Lincoln
Location: Administrator's Office
Importance: Normal
Subject: Accepted: Prep for Daily Caller Interview
Start Date/Time: Thur 6/29/2017 8:15:00 PM
End Date/Time: Thur 6/29/2017 8:30:00 PM

From: Ferguson, Lincoln
Location: Administrator's Office
Importance: Normal
Subject: Accepted: Daily Caller Interview
Start Date/Time: Thur 6/29/2017 8:30:00 PM
End Date/Time: Thur 6/29/2017 9:00:00 PM

From: Ferguson, Lincoln
Location: Administrator's Office
Importance: Normal
Subject: Accepted: Time with Lincoln
Start Date/Time: Fri 6/16/2017 6:30:00 PM
End Date/Time: Fri 6/16/2017 7:00:00 PM

From: Adm14Pruitt, Scott
Location: Administrator's Office
Importance: Normal
Subject: Time Magazine with Justin Worland
Start Date/Time: Wed 10/18/2017 1:30:00 PM
End Date/Time: Wed 10/18/2017 2:00:00 PM

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Sent by Microsoft Exchange Server

From: Adm14Pruitt, Scott
Location: Charlie Palmer, 101 Constitution Ave NW, WDC
Importance: Normal
Subject: Lunch with Bret Baier from Fox News
Start Date/Time: Mon 9/25/2017 4:00:00 PM
End Date/Time: Mon 9/25/2017 5:30:00 PM

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Location: Charlie Palmer, 101 Constitution Ave NW, WDC
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From: Adm14Pruitt, Scott
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Importance: Normal
Subject: Lunch with Bret Baier from Fox News
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Flexible on time between 5-6:30PM; Tentatively planned for 5:10PM remarks unless we move.

Brief 10min remarks, Q&A on WOTUS and streamlining environmental permitting; 30min max needed but welcome to stay longer

POC: Tate

**Note that Senator Rubio is also tentatively planning to speak. Will get back to us with more details.

From: Adm14Pruitt, Scott
Location: 1717 Desales Street NW; Washington, D.C.
Importance: Normal
Subject: ABC Podcast with Jonathan Karl and Rick Klein
Start Date/Time: Fri 9/8/2017 4:00:00 PM
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POC: Jahan

From: Ford, Hayley
Location: Mayflower Hotel, 1127 Connecticut Ave NW, WDC
Importance: Normal
Subject: Speaking Engagement: Federalist Society National Lawyers Convention
Start Date/Time: Fri 11/17/2017 4:15:00 PM
End Date/Time: Fri 11/17/2017 5:00:00 PM
[EPA Event Request Form.docx](#)
[Pruitt Invite.pdf](#)
[\(ETHICS\) Federalist Convention - Friday, November 17.pdf](#)



fedsoc.org

1776 I St NW • Suite #300
Washington, DC 20006

PHONE (202) 822-8138
FAX (202) 296-8061

September 20, 2017

Hon. Scott Pruitt
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt,

I am writing to invite you to participate in the Federalist Society's annual National Lawyers Convention, which will take place November 16-18, 2017 at the Mayflower Hotel in Washington, D.C. The theme of the Convention this year will be "Administrative Agencies and the Regulatory State," which will be developed around four showcase panels.

We are inviting you to participate by delivering an Address, which is scheduled for Friday, November 17 from 11:15 a.m. – 12:00 p.m. Addresses at the National Lawyers Convention have previously been delivered by Justice Alito, Senator Lee, Justice Scalia; we think that our attendees would be excited to hear from you.

We expect over 2000 people to be in attendance at the Convention. As always, in keeping with the Federalist Society's long-standing tradition of balanced and spirited debate, we have invited speakers with a wide variety of perspectives to participate in each panel discussion. We hope you will join us in November, as your participation would be a welcome and valuable addition to our annual Convention.

In the meantime, if you have any questions about the convention, please feel free to contact me at 202-822-8138 or via e-mail at dreuter@fed-soc.org.

Sincerely,

Dean A. Reuter
General Counsel, Vice President and
Practice Groups Director

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Location: Mayflower Hotel, 1127 Connecticut Ave NW, WDC
Importance: Normal
Subject: Speaking Engagement: Federalist Society National Lawyers Convention
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Wednesday, May 17, 2017

Live In-Studio Interview on FOX News Channel's *Fox and Friends* (New York)

Arrival Time: 6:20 a.m. – Kelly May will meet you in the lobby

Hit Time: 6:40 a.m., 10 minute segment. Will re-air in the 7:00 and 8:00 hour

Address: 1211 Avenue of the Americas, New York, NY 10036 - enter through 48th side

Hosts: Brian Kilmeade, Steve Doocy, Ainsley Earhardt

Topics: New direction of the EPA, helping communities that were poorly served by the last admin

Contact: Diana Aoli (212) 301-5594, email: diana.aloi@foxnews.com

Morning Producer: Kelly May Phone: (212) 601-2475 cell: [Ex. 6 - Personal Privacy] email: kelly.may@foxnews.com

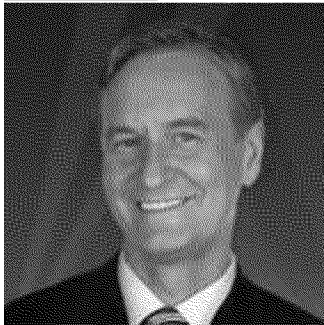
Security POC: Tom O'Shea toshea@21cf.com, 212.852.7662 (office), [Ex. 6 - Personal Privacy] cell)

Ainsley Earhardt



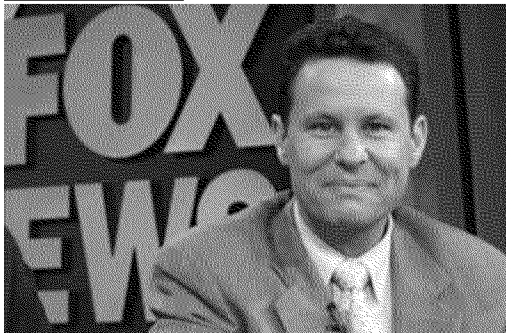
Ainsley Earhardt currently serves as a co-host of Fox News Channel's (FNC) *Fox & Friends* (weekdays 6-9AM/ET) alongside Steve Doocy and Brian Kilmeade. She joined the network in 2007 and is based in New York. Earhardt graduated from the University of South Carolina with a B.A. in journalism.

Steve Doocy



Throughout his tenure at FNC, he has contributed to coverage of every presidential election since 1996. He began his career as a feature reporter for WRC-TV (NBC 4) in Washington, DC. Doocy received his B.A. in journalism from the University of Kansas.

Brian Kilmeade



Every weekday morning, Kilmeade provides viewers with the latest on the current headlines in news, sports, politics and entertainment. Kilmeade joined the network as a sports reporter in 1997. He received a B.A. from Long Island University.

Suggested Talking Points:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Event Request Form for Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

To request the Administrator to attend and/or speak at your event, please complete and submit the following form.

Group: American Iron and Steel Institute and the Steel Manufacturers Association

Name of Event: AISI 2017 General Meeting and SMA 2017 Annual Meeting

Date of Event: Tuesday, May 23

Type of Event (banquet, lecture, panel discussion, etc.): Conference Speech with Q&A

Role of the Administrator: Featured Speaker

Approximate time will the Administrator's Remarks Begin (example 9:00 am): 2:45 pm

Please note: We could move the time later in the afternoon to 3:30 pm, for example, if that time is better for the Administrator.

Expected length of the Administrator's remarks: 20 minutes plus Q&A

Will there be Q&A? If so, for how long and who from? Ex: press, attendees: Yes; 15-20 minutes

Event begins (example 9:00 am): 2:30 pm Opening of Conference and Introduction of the Administrator; 2:45 pm Speech begins

Event ends (example 9:00 am): 3:30 pm

Event address (*please include room name or number if applicable*):

The Four Seasons Hotel

Room for Speech: Corcoran Ballroom

2800 Pennsylvania Ave., NW

Washington, DC 202-342-0444

Will there be a hold room for the Administrator? (please include room name and/or number):

Yes, we will have a hold room. We will need to get the name of the room to your office.

Please list the name and title of the individual who will introduce the Administrator:

Mario Longhi, incoming 2017 Chairman, American Iron and Steel Institute and President and CEO of United States Steel Corporation OR Thomas J. Gibson, President and CEO, American Iron and Steel Institute OR Philip Bell, President and CEO, Steel Manufacturers Association

Approximate size of the audience. Please also include a brief description of the makeup of the audience (*attorneys, business owners, veterans, students etc.*): We anticipate 150+ attendees including chief executive and senior leadership from top steel producers in North America and their government relations staff and mid-to-senior level executives from supplier companies to the steel industry. The two organizations, American Iron and Steel Institute and the Steel Manufacturers Association represent the more than 80 percent of the steel capacity in North America.

Please indicate your request for the topic of the Administrator's remarks, if applicable: Our members share your view that protection of the environment is a core value, and that it can be achieved in a more efficient manner that allows the U.S. economy to grow and the steel industry to remain competitive. Our members are among the most efficient steelmakers in the world, with the domestic steel industry reducing its energy intensity by 32 percent since 1990 and reducing its greenhouse gas (GHG) emissions by 37 percent over the same period. We have carefully sought to reduce our environmental footprint even while producing the advanced and highly recyclable steel that our economy needs. However, the simultaneous development and implementation of multiple new environmental regulatory programs at the federal and state levels have created competitive disadvantages for the industry, endangered manufacturing jobs and added significant costs to operations while providing only marginal environmental benefits.

We would greatly appreciate the opportunity to hear of your plans for improving the regulatory and permitting process at the US EPA.

Please list any special guests, elected officials, or other dignitaries who are invited or are expected to attend: We will be holding a Congressional Breakfast on May 24th and anticipate participation by a dozen or more Steel Caucus members at the event. We have

also invited Senators Sherrod Brown and Rob Portman to speak at dinner on May 22.

Please list any other speakers at this event: The Hon. Wilbur Ross (invited), U.S. Secretary of Commerce

Is this event open to the media?: No

Please list a point of contact for the day of the event, including a cell phone number and e-mail address for the contact:

Liz Vago, Sr. Director, Membership & Administration, American Iron and Steel Institute

Cell: Ex. 6 - Personal Privacy

Email: evago@steel.org

If applicable, please list the name(s) and contact information of the person(s) who will greet the Administrator upon arrival, including a cell phone number and e-mail address for each contact:

Kevin Dempsey, Senior Vice President, Public Policy & General Counsel, American Iron and Steel Institute; Ex. 6 - Personal Privacy (cell phone); kdempsey@steel.org (email)

Paul Balserak, Vice President, Environment, American Iron and Steel Institute; Ex. 6 - Personal Privacy (cell phone); pbalserak@steel.org (email).

Please list any special information or directions, such as ongoing construction, specific points of entry, or parking instructions, about the event or location:

Please list below any other relevant information such as agendas, background information or other relevant information about the event. (*Information may also be attached and submitted with this form.*)

Please include a contact number for the event location: 202-342-0444

Please indicate whether this event is held weekly, monthly or annually: Annually

Please indicate the attire for this event (*business, formal, casual, etc.*): Business

Please list any agencies, businesses, schools or universities, or other organizations that may be sponsoring or co-sponsoring this event:

Please provide the security contact if contracted or head of security for event location:

**Sean Dunlevy
Head of Security
Four Seasons**

Ex. 6 - Personal Privacy



Internal Meeting/Briefing Request Form

Today's Date: **April 27, 2017**

Requesting Office: **R5/OW/OECA**

Title of the Meeting: **Flint Update**

Purpose: **Provide an update on current situation and key pending decision with regard to flint water quality.**

Role of the Administrator: **Advisory/decision maker**

Background: **see attach**

Last possible date for the meeting: **2 weeks**

Is the meeting urgent and if so, why?: **yes, A. public health impacts B. nationally significant issues with extensive media and Congressional focus**

Requested Time Length: **1 hour**

EPA Staff (Required): **Mike Shapiro, Larry Starfield, Robert Kaplan, Sandra Connor, Bob Kavlock, Sarah Greenwalt, J.P. Freire**

EPA Staff (Optional):

External Participants: **None**

Teleconference Required?: **yes**

Video Conference Required?: **yes**

Point of Contact for the Meeting: **Robert Kaplan/Felicia Williams**



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	<u>Program confirmed.</u>
Event Title:	<u>BCIU Roundtable Discussion with The Honorable Scott Pruitt, Administrator, U.S. Environmental Protection Agency</u>
Speech Date:	<u>Tuesday, June 20, 2017</u>
Is the Above Date Flexible:	<u>No</u>
Speech Time & Duration:	<u>3:20 p.m. arrival and 4:45 p.m. departure (see agenda for details)</u>
Speaker Requested:	<u>Administrator Scott Pruitt</u>
Would You Consider a Surrogate:	<u>No</u>
Event Location:	<u>The Hay-Adams Hotel</u> <u>800 16th Street, NW</u> <u>(202) 638-6600</u> <u>Concorde Room</u>
Open Press/Closed Press:	<u>Closed</u>
Is Event Webcast/Recorded/Transcribed:	<u>No</u>
Purpose of the Event:	<u>Provide Administrator Pruitt with a neutral platform to brief the business community on EPA initiatives and explore issues of common concern with private sector stakeholders in an off-the-record setting.</u>
Speech Topic:	<u>The regulatory agenda of the EPA; the nexus of environmental policy and business; the Administrator's vision of returning the EPA to its core mission of protecting the environment by engaging with public and private sector partners to create sensible regulations that enhance economic growth.</u>
Requested Presentation Format:	<u>Roundtable Discussion: Brief remarks by Administrator Pruitt followed by moderated Q&A with c-suite executives.</u>
Dress Code:	<u>Business Attire.</u>
Speech/Presentation Duration:	<u>10 minutes of remarks followed by 40 minutes of moderated Q&A</u>
Teleprompter Available:	<u>No</u>
Microphone / Room Setup:	<u>No microphone; boardroom seating (all guests seated around rectangular table with Administrator seated at the center).</u>
Event Sponsor:	<u>BCIU</u>
Relationship to the EPA:	<u>BCIU is a non-profit, nonpartisan, convener of business and global government officials to address issues of common concern and help form public-private partnerships.</u>



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Event Agenda/Program: 3:10 p.m. Registration and arrival for business executives.

3:20 p.m. The Honorable Scott Pruitt, Administrator, Environmental Protection Agency, arrives at the Hay-Adams Hotel and is greeted by Mr. Peter Tichansky, President and Chief Executive Officer, BCIU. Mr. Tichansky escorts Mr. Pruitt to the Concorde Room.

Guests enjoy coffee, tea, and light fare in the Concorde Room prior to discussion.

3:30 p.m. Mr. Tichansky calls session to order, thanks Administrator Pruitt for his presence, and asks guests to introduce themselves.

3:40 p.m. Mr. Tichansky introduces Administrator Pruitt.

3:45 p.m. Administrator Pruitt delivers brief remarks.

3:55 p.m. Mr. Tichansky moderates the roundtable discussion.

4:35 p.m. Administrator Pruitt issues concluding remarks.

4:40 p.m. Adjournment by Mr. Tichansky.

4:45 p.m. Program conclusion.

Honorable Guests Attending: C-suite executives. List of confirmed guests to follow.

Notable Federal, State or Local Appointed or Elected officials attending: None.

Individual Introducing Administrator: Mr. Peter Tichansky, President, BCIU

Person to contact for speechwriting purposes: Mr. Matthew Calardo
m-calardo@bcIU.org
646-379-7800

Person to contact for media purposes: The meeting is closed press.

Origin of Invitation: Mr. Matthew Calardo
m-calardo@bcIU.org
646-379-7800

Day of Event Point of Contact: Mr. Matthew Calardo
m-calardo@bcIU.org
646-379-7800

Security Contact: Alison Okobi, Director of Catering
aokobi@hayadams.com
202.662.4815



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): 501(c)(3)

Will there be a presentation of a "gift" to the Administrator? No

If so, what is the US currency value of the gift? N/A

Will a meal be provided, if so what is the US currency value? Coffee and tea service provided (\$25)

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydney@epa.gov).

Wednesday, May 10, 2017 – 3:00 p.m.

Off-the-record introductory meeting with Judd Berger, FoxNews.com

Time: 3:00 – 3:20 p.m.

Location: EPA Administrator's office

Reporter: Judd Berger

Outlet: FoxNews.com

Topics: Introduction, Energy Independence Executive Order, First 100 days

Contact: Judson.Berger@FOXNEWS.COM, 301-395-7063

Reporter bio



Judd Berger is the senior politics editor and lead writer for FoxNews.com based in Washington. He has worked for Fox for more than nine years and attended University of Maryland College Park.

Recent stories:

AHCA: Republican health care bill headed for overhaul in Senate

Gorsuch confirmed to Supreme Court

Trump, in speech to Congress, calls to 'restart the engine' of US economy

Ex. 5 - Deliberative Process

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Ex. 5 - Deliberative Process

Wednesday, May 3, 2017 – 9:45 a.m.

Live Remote Interview on FOX Business' Varney & Co.

Arrival Time: 9:40 a.m.

Hit Time: 9:45 a.m., 5-minute segment

Address: Statuary Hall, U.S. Capitol

Host: Stuart Varney

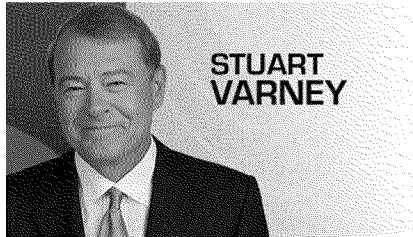
Topics: Meetings on Capitol Hill, first 100 days

Note: Show Airs weekdays at 9:00 a.m. – 12:00 p.m. ET

Contact: Jennie Lubart (212) 301 5715, Ex. 6 - Personal Privacy

Jennie.Lubart@foxbusiness.com

Host Bio:



Stuart Varney joined FOX Business Network as an anchor in 2007 and is the host of Varney & Company. Varney also serves as a business contributor and substitute host for FOX News Channel's (FNC) "Your World with Neil Cavuto." A graduate of the London School of Economics, Varney began his journalism career as business anchor for KEMO-TV in San Francisco.

Top Lines:

CONGRESSIONAL OUTREACH:

- I'm meeting with 11 Republican and Democrat lawmakers on the Hill today to discuss regulatory relief, agriculture and issues important to their respective districts/states.
- I'll meet with Senate Majority Leader Mitch McConnell, and other leaders in both the House and Senate.
- The goal is to improve communication and build relationship between EPA and Members of Congress.

FIRST 100 DAYS:

- EPA was the poster child for regulatory overreach in the Obama Administration.
- I have spearheaded over 22 major regulatory reform actions.
- EPA is at the forefront of President Trump's vision to rollback regulations, save American jobs and promote economic growth.

TOP JOB NUMBERS:

- Jobs: Over 1.4 million jobs threatened by the actions of the old administration.
- Overall Regulatory Impact: \$204 billion from the old EPA's regulatory actions.
- Clean Power Plan: 400,000 jobs threatened.
- CAFE standards: 1.1 million jobs
- ELG Rule: 100 jobs saved at a chemical processing plant in Florida.

Hot topics and additional background:

GOVERNMENT SPENDING BILL

- Decreases overall funding by \$81.4 million below the FY16 enacted level.
- Rejects Obama staffing increases and freezes agency positions at 15,000, the lowest level since 1989.
- Supports Trump E.O. to rewrite the Clean Power Plan.
- Directs the EPA to commission a report on administrative options for providing states regulatory relief from the Obama Administration's Ozone Rule.
- Provides \$4 million for long-term water quality monitoring as a result of the Animas River Spill.
- Encourages the EPA to work with states, small businesses and other stakeholders as the agency reevaluates the Obama Administration's RMP rule.

COAL ASH LETTER

- I sent a letter to Governors on Monday explaining that EPA plans to issue guidance and begin acting on state permit applications this year, to give states more flexibility in how they manage the safe disposal of coal ash.
- EPA estimates that the cost of the CCR rule to be between \$500 and \$745 million annually.
- Leading senators on the EPW Committee have applauded states having their own permitting programs for recycling and reusing coal ash.
- According to Senator Shelley Moore Capito (R-W.Va.), This provides "needed certainty to industry and businesses, while ensuring the health and safety of families and communities."

CLIMATE CHANGE WEBSITE

- The EPA.gov website is undergoing changes that reflect the agency's renewed focus on human health, and clean air, land and water.
- The changes will comply with agency ethics and legal guidance, including the use of proper archiving procedures.
- For instance, a screenshot of the last administration's website will remain available.
- The first page to be updated is a page reflecting President Trump's Executive Order on Energy Independence, which calls for a review of the so-called Clean Power Plan. Language associated with the Clean Power Plan, written by the last administration, is out-of-date. Similarly, content related to climate and regulation is also under review.

NRDC WATER REPORT

- EPA is getting back to its core mission, which includes protecting America's drinking water.
- Unfortunately, this is an area the past administration chose to neglect.
- We saw the devastating consequences of Flint, Michigan and East Chicago, Indiana.
- I'm committed to helping modernize our country's outdated water infrastructure in order to ensure we maintain safe drinking water for the more than 300 million people that depend on it.
- *Background: The NRDC released a report on Tuesday stating that 77 million people—roughly a quarter of the U.S. population—spread across all 50 states were served by water systems reporting violations of the Safe Drinking Water Act in 2015.*

SENATE EPW DEMS HATCH ACT LETTER

- As the Senators acknowledged in their letter, I have complied with the rules and will continue to do so in coordination with ethics counsel.
- *Background: On Monday, Democrat Senators on the EPW Committee sent a complaint to the Office of Special Counsel calling on EPA to turn over all documents related to the OKGOP event and information on how you will comply with the Hatch Act going forward.*

ENDANGERMENT FINDING PETITION

- EPA has received numerous petitions which require serious consideration.
- Certainly there have been concerns raised over the endangerment finding that the previous administration outright dismissed.
- I encourage the exchange of ideas and I am committed to a robust and honest dialogue on the science related to climate change.
- *Background: The Texas Public Policy Foundation filed a petition challenging EPA to revisit the endangerment finding.*

ENERGY STAR AND OTHER BUDGET INQUIRIES

- EPA is evaluating different approaches to implementing the President's budget that would allow us to effectively serve the taxpayers and protect the environment.
- While many in Washington insist the on greater spending, EPA is focused on greater value and results.
- We will partner with the states to ensure a thoughtful approach is used to maximize every dollar to protect our air, land, and water.

EPA EMPLOYEE LETTER AND CLIMATE MARCH

- It's easy to throw stones from the sidelines, but this doesn't distract us from our mission of protecting the environment and jobs.
- *Background: In advance of last Saturday's Climate March, 777 former scientists, managers, analysts and other employees of EPA signed a letter "condemning the Trump Administration for ignoring science and endangering the public on climate change."*
- *The letter was sent by the Environmental Integrity Project, a nonprofit, nonpartisan organization founded by former EPA officials.*



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	<u>Flexible</u>
Event Title:	<u>Monthly State Policy Network Energy – Environment Policy Call</u>
Speech Date:	<u>Flexible – prefer a Thursday or Friday due to state legislative sessions</u>
Is the Above Date Flexible:	<u>Yes</u>
Speech Time & Duration:	<u>4:00 pm est</u>
Speaker Requested:	<u>Administrator Scott Pruitt</u>
Would You Consider a Surrogate:	<u>Yes</u>
Event Location:	<u>Call-in Line (monthly national call)</u>
	<u>N/A</u>
Open Press/Closed Press:	<u>Closed to Press</u>
Is Event Webcast/Recorded/Transcribed:	<u>No</u>
Purpose of the Event:	<u>This monthly call brings together energy / environmental experts from the network of 66 state-based free market think tanks, national think tanks, energy industry executives, state legislators (I would also invite ALEC to this call) and legal experts. The goal is to share state-level intel, resources and develop strategies on multi-state / national issues (please let me know if you would like a list of the usually participants)</u>
Speech Topic:	<u>Update on US Environmental Protection Agency changes and how they impact the states.</u>
Requested Presentation Format:	<u>10 – 15 minute speech (update) with 10 – 15 minutes of moderated questions (this will be a very friendly and supportive audience)</u>
Dress Code:	<u>N/A</u>
Speech/Presentation Duration:	<u>10 – 15 minutes</u>
Teleprompter Available:	<u>N/A</u>
Microphone / Room Setup:	<u>N/A</u>
Event Sponsor:	<u>State Policy Network (we can also invite American Legislative Exchange Council and Republican Governors Association – so it is a comprehensive state call)</u>
Relationship to the EPA:	<u>Stakeholders in the states who have been dealing with disastrous federal policy for the last 8 years.</u>



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Event Agenda/Program: 4:00 – Welcome everyone to call – introduce key speaker
4:05 – 4:20 – Update from Secretary Pruitt
4:20 – 4:35 – Moderated Q&A (Secretary Pruitt can leave call)
4:35 – Update from national and industry groups
4:55 – Update from state groups
Call Concludes

Honorable Guests Attending: N/A

Notable Federal, State or Local Appointed or Elected officials attending: We will have state legislators on this call – we usually do even without ALEC’s involvement

Individual Introducing Administrator: Jennifer Butler, Senior Policy Advisor, State Policy Network

Person to contact for speechwriting purposes: Jennifer Butler, Senior Policy Advisor, State Policy Network
butler@spn.org
(561) 352-0011

Person to contact for media purposes: Carrie Conko, Vice President of Communications
conko@spn.org
202-262-2133

Origin of Invitation: Jennifer Butler, Senior Policy Advisor, State Policy Network
butler@spn.org
(561) 352-0011

Day of Event Point of Contact: Jennifer Butler, Senior Policy Advisor, State Policy Network
butler@spn.org
(561) 352-0011

Security Contact: N/A

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): _____ we are a 501c3 but take the h election _____

Will there be a presentation of a “gift” to the Administrator? _____ N/A _____

If so, what is the US currency value of the gift? _____

Will a meal be provided, if so what is the US currency value? _____

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydney@epa.gov).

Monthly State Policy Network Energy – Environmental Policy Huddle

This monthly call brings together energy and environmental experts from the network of 66 state-based free market think tanks, national think tanks, state legislators, legal experts and state governors' staff. The goal is to share state-level intelligence, resources and develop strategies on multi-state and national issues

Thursday, May 18, 2017 – 4:00 pm est

Speaker call-in number:

Ex. 6 - Personal Privacy

Speaker code - Ex. 6 - Personal Privacy

Participant code - Ex. 6 - Personal Privacy

Purpose of call: Environmental Protection Agency Administrator Scott Pruitt provides an update on proposed changes to EPA policy and regulations and how they will impact states. Many people on this call were leading the Clean Power Plan push-back in their state and are advocates for devolving decision making to the local level.

Agenda:

Call will start in speaker-only mode (moderated by an operator)

4:00 pm – Welcome, brief background about the monthly call and introduce EPA Administrator Scott Pruitt, Jennifer Butler, State Policy Network

4:03 pm – Administrator Pruitt's remarks (10 minutes)

4:13 pm – Q&A - operator queued -up questions (10 minutes)

4:23 pm – Administrator Pruitt departs and call wrap-up

Main contact: Jennifer Butler

butler@spn.org

(561) 352-0011

Participating organizations:

State Policy Network - State Policy Network supports 66 independent state think tanks that develop practical public policy solutions to help solve some of our country's greatest challenges at the state and national levels.

American Legislative Exchange Council - ALEC is America's largest nonpartisan, voluntary membership organization of state legislators dedicated to the principles of limited government, free markets and federalism. It is comprised of nearly one-quarter of the country's state legislators and stakeholders from across the policy spectrum.

Republican Governors Public Policy Committee - RGPPC serves as the official policy arm of the Republican Governors Association. Bringing together 33 Republican governors from statehouses across the country, the RGPPC is committed to shaping public policy debates at the state and federal levels of government.

External Meeting Request Form for Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

To request the Administrator to attend and/or speak at your event, please complete and submit the following form.

Today's Date: April 21, 2017

Meeting Date: April 25, 2017

Meeting Time: 2:15 p.m.

Requested Location (if offsite, please list address, parking instructions, etc.): Administrator's office.

Requestor: Combest Sell & Associates on behalf of the Southwest Council of Agribusiness, a consortium of farm organizations, lenders, and supporting Main Street businesses in Texas, Oklahoma, Kansas, Colorado, and New Mexico.

Purpose of the Meeting: Discuss the importance of regulatory relief for farmers and ranchers. The SWCA represents land-holders — stewards of our resources — who work daily to safeguard and cultivate a sustainable environment. From water to air to soil health to pesticide permitting, the EPA has a significant impact upon the members and interests of SWCA. We expect there will be a greater respect in the new EPA for those who toil in this ancient and challenging field, and would hope to establish a stronger working relationship going forward.

Background on the Meeting: The Southwest Council of Agribusiness is in Washington for an annual fly in to meet with Members of Congress and the Administration.

Role of the Administrator: Discuss regulatory relief efforts of EPA.

Attendees: From among the following list. Ideal size?

Matt Huie, SWCA President, South Texas and Grain
L.G. Raun, SWCA Vice President, Texas Rice Producers

David Cleavinger, SWCA Vice President, Texas Wheat Producers Association
Steve Verett, SWCA Treasurer, Plains Cotton Growers
Scott Averhoff, SWCA Secretary, Texas Corn Producers
Jimmy Clark, SWCA Executive Director

Jeff Nunley, SWCA Member, South Texas Cotton & Grain
Steelee Fischbacher, SWCA Member, Texas Wheat Producers Association
Linda Raun, SWCA Member, Texas Rice Producers
Tim McDonald, SWCA Board Member, Ag Texas Farm Credit
Rick Boyd, SWCA Board Member, First United Bank
Tony Dill, SWCA Board Member, Western Peanut Growers
David Gibson, SWCA Member, Texas Corn Producers
Dee Vaughan, SWCA Board Member, Texas Corn Producers
Dale Artho, SWCA Board Member, Texas Sorghum Producers
Dave Cure, SWCA Board Member, Colorado Corn Producers
Mark Boardman, SWCA Member, Western Peanut Growers
Kody Bessent, SWCA Member, Plains Cotton Growers
Scott Schafer, SWCA Member, Farm Credit of New Mexico

Point of Contact: Tom Sell; tom@combest-sell.com ; 806.535.0093.



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	<u>April 28th</u>
Event Title:	<u>Cement and Concrete Fly-In</u>
Speech Date:	<u>Tuesday, May 9</u>
Is the Above Date Flexible:	<u>YES- see attached</u>
Speech Time & Duration:	<u>15- 25 minute range (Flexible) plus Q&A (max 30 min)</u>
Speaker Requested:	<u>Administrator Scott Pruitt</u>
Would You Consider a Surrogate:	<u>[Yes/No] Yes</u>
Event Location:	<u>Marriott Washington at Metro Center</u> <u>775 12th Street NW</u> <u>Washington, DC 20009</u>
Open Press/Closed Press:	<u>Whatever you want but yes, happy to promote</u>
Is Event Webcast/Recorded/Transcribed:	<u>NO</u>
Purpose of the Event:	<u>Washington, D.C. Fly-In to bring CEOs and senior company</u> <u>representatives to Washington to advocate for the industry. This will</u> <u>be a lunch event in-between board meetings.</u>
Speech Topic:	<u>EPA outlook for the next 4 years</u> <u>Specially on Climate NESHAP, WOTUS, Ozone</u>
Requested Presentation Format:	<u>Keynote- with Q&A if the Administrator is comfortable with Q&A</u>
Dress Code:	<u>[Casual/Business/Black Tie Optional/Black Tie/Other]</u>
Speech/Presentation Duration:	<u>[Length of Remarks]</u>
Teleprompter Available:	<u>No but confidence monitor is available</u>
Microphone / Room Setup:	<u>[What kind of microphone will be used? What is the room setup?]</u>
Event Sponsor:	<u>Portland Cement Association</u>
Relationship to the EPA:	<u>[Enter Here]</u>
Event Agenda/Program:	<u>Please see attached.</u>
Honorable Guests Attending:	<u>[Name/Title]</u>
Notable Federal, State or Local Appointed or Elected officials attending:	<u>[Name/Title]</u>
Individual Introducing Administrator:	<u>John Stull</u>



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Person to contact for speechwriting purposes: Rachel Derby
[Email]
[Office Number]
[Cell Number]

Person to contact for media purposes: Holly Author
Vice President of Communications
Harthur@cement.org
202-719-1979

Ex. 6 - Personal Privacy

Origin of Invitation: [Name/Title]
[Email]
[Office Number]
[Cell Number]

Day of Event Point of Contact: [Name/Title]
[Email]
[Office Number]
[Cell Number]

Security Contact: Kathryn DiProva
kdiprova@cement.org
847-972-9168

Ex. 6 - Personal Privacy

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):

Will there be a presentation of a "gift" to the Administrator?

If so, what is the US currency value of the gift?

Will a meal be provided, if so what is the US currency value? Yes- \$57.00

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydnev@epa.gov).



PCA is the voice of
America's cement
manufacturers.

PCA members have
long been committed
to making our high-
quality products safely
and efficiently while
reducing our
environmental
footprint.

Founded in 1916, the Portland Cement Association (PCA) is the premier policy, research, education, and market intelligence organization serving America's cement manufacturers. Our members are responsible for 92 percent of U.S. cement production capacity and have facilities in all 50 states. The association promotes safety, sustainability, and innovation in all aspects of construction, fosters environmentally responsible continuous improvement in cement manufacturing and distribution, and generally promotes economic growth and sound infrastructure investment. For more information, visit www.cement.org.

What is portland cement?

Portland cement is the general term for the type of cement used in virtually all concrete – one of the most durable, resilient and sustainable construction materials used to build American homes, buildings, and vital infrastructure. Cement is produced by grinding limestone, which is then blended with other raw materials like clay and sand. The mixture is then heated in a large industrial kiln to form an intermediate product called clinker. Once cooled, the clinker is ground with gypsum, limestone, and other additives into the fine gray powder known as portland cement.

Cement manufacturers are dedicated to resiliency, efficiency, and sustainability.

The U.S. cement industry has long been committed to making high-quality products safely and efficiently, while reducing our environmental footprint. Cement manufacturers have significantly **reduced their use of energy**, cutting the amount of energy used to produce a ton of cement by over 40 percent during the past 40 years.

- To do so, the industry has focused on energy efficiency, equipment reliability, and use of alternative fuels, including those with significant biogenic content.
- The industry has reduced its use of traditional fossil fuels, such as coal and petroleum coke, with alternative fuels now accounting for over 15 percent of total plant energy

consumption. In 2015, U.S. cement kilns burned approximately 46 million scrap tires, totaling 753,370 tons in weight.

Combined with significant investments in air pollution controls, energy efficiency gains also have led to **dramatic emissions reductions**. Thanks to work by the cement industry and other large facilities, air quality in the U.S. has improved drastically, with industrial air emissions down 70 percent since 1970.

The industry is also a **leader in sustainable material use** and management, including reuse of industrial products as ingredients to make cement. Cement manufacturers often use alternative raw materials from industrial byproducts, such as those from coal combustion, steel blast furnace slag, and silica fume, keeping a large portion of these materials from being disposed of in landfills.

Concrete does not rust, rot, or burn, saving energy and resources.

The durability and resiliency of cement-related products also lower our environmental footprint. Concrete does not rust, rot, or burn, saving energy and resources needed to replace or repair damaged buildings and infrastructure.

- Because of its rigidity, concrete pavement can enhance the fuel efficiency of vehicles that travel on roads when compared to other pavements. If concrete pavements were used by the U.S. road system, fuel consumption is estimated to decrease by 3 percent nationwide, equating to a reduction in fuel consumption of 273 million barrels of crude oil a year, and a corresponding reduction decrease of greenhouse gas emissions by 51.2 million short tons.
- The energy efficiency of buildings also improves when concrete is used. A concrete construction home has been demonstrated to require 6-12 percent less energy than code-compliant wood frame construction.

PCA's public policy priorities are well-aligned with the new Congress and Administration.

PCA's public policy priorities are well-aligned with the new Congress and Administration, and we look forward to working with you to:

Implement sensible regulatory reform. We need sensible reforms to make sure that federal regulations are necessary, effective, based on sound science, and ensure the highest degree of flexibility and the lowest burden on U.S. manufacturers.

- The Administration should require robust cost-benefit analyses for all new regulations with an emphasis on the impact on jobs. Federal agencies' review of benefits should focus on direct and measurable outcomes based on rigorous scientific review and evidence, not hypothetical projections or secondary benefits.

Rebuild our nation's infrastructure. America's cement producers support efforts to:

- Expand oil, gas and other pipeline development to assure low-cost domestic energy, boost the economy and provide great jobs, while conserving our Nation's bountiful natural resources;
- Invest in new coastal infrastructure to protect against natural disasters;
- Rebuild America's roads and bridges, with an emphasis on resilience;
- Put measures in place to make sure taxpayer money is spent with longevity in mind, so we get the most out of our investments in the future;
- Create tax incentives for private sector investment in infrastructure to pair the best the private sector has to offer with the public's infrastructure;
- Expand the use of public/private partnerships; and
- Modernize our electric grid.

Protect our environment. PCA members take environmental stewardship seriously, and we're proud of our record. We support efforts to focus environmental regulations on protecting Americans from known risks to public health based on sound science and evidence.

- Wherever possible the federal government should utilize market-based incentives for emissions reductions and incentivize the development of new technologies.
 - The primary role of implementing and enforcing environmental standards should be restored to state and

local regulators, who are closest to the environmental impacts and operations of the facilities within their jurisdictions.

Protect our workers. PCA members place the safety of their employees among their highest priorities and core values. PCA is proud that the industry's commitment to safety contributed to the federal government's recognition of 2015 as the safest year on record for Metal and Nonmetal Miners, which includes our industry.

- We support efforts to modernize the agencies responsible for administering health and safety laws and to make sure regulations focus on evidence-based efforts to reduce injuries and improve outcomes.
- We support efforts to improve safety performance that are based on sound Occupational Health and Safety Management Systems, employee engagement, risk reduction and behavior based safety.
- We will continue to work with agency and industry leaders to minimize or eliminate hazards by promoting new and innovative training resources, ensuring the continual development of safe handling procedures and the sharing of best practices.



America's Cement Manufacturers™

Portland Cement Association
1150 Connecticut Avenue, NW, Suite 500
Washington, DC 20036-4104
202.408.9494 Fax 202.408.0877
www.cement.org

April 3, 2017

The Honorable Scott Pruitt
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt:

On behalf of the Portland Cement Association (PCA), I am pleased to invite you to be the keynote speaker at our Cement and Concrete Washington, D.C. Fly-In. The event will take place on May 9th and 10th, and will be held in conjunction with PCA's Board Meetings.

Founded in 1916, PCA is the widely -recognized authority on the technology, economics, and applications of cement and concrete. The association advocates for sustainability, economic growth, sound infrastructure investment, and overall innovation and excellence in construction. The Portland Cement Association represents 92 percent of U.S. cement production capacity that has facilities in all 50 states. Cement and concrete product manufacturing indirectly employs approximately 500,000 people in our country, and our collective industries contribute approximately \$100 billion to our economy.

The Cement and Concrete Fly-In will be attended by PCA's Board of Directors as well as executives representing producers and users of concrete. Additional CEO's from other concrete related trade associations will also be attending this year's event. As the second most consumed product on Earth, behind water, it is impossible to contemplate revitalizing our nation's infrastructure and environment without putting concrete at the forefront of the discussion. Fly-In attendees would appreciate hearing about your current and long term goals for the Environmental Protection Agency.

The event's opening dinner will take place on Tuesday, May 9th at the 101 Constitution Roof Terrace from 6pm-9pm. We would be delighted if you could speak at this event, at a time of your convenience. Additionally, the group would also like to welcome you at breakfast on Wednesday, May 10th from 7am to 10am at the Washington Marriott at Metro Center.

Administrator Pruitt, it is our sincere hope that you will be able to join us as our members come to Washington. Your participation will make this a truly memorable event for our Board of Directors and member company representatives. Rachel Derby, PCA's Vice President of Government Affairs, will contact your office shortly to provide any additional information that might be helpful. She can also be reached directly at 202-679-8223 or rderby@cement.org.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Todd Johnston", is located below the word "Sincerely,".

A. Todd Johnston
Executive Vice President of
Government Affairs



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance: [ASAP]

Event Title: [Manhattan Institute Board Meeting Luncheon Keynote]

Speech Date: [Wednesday, May 17, 2017]

Is the Above Date Flexible: [No]

Speech Time & Duration: [12pm-2pm (11:45am arrival)]

Speaker Requested: Administrator Scott Pruitt

Would You Consider a Surrogate: [No]

Event Location: [Union League Club of New York]
[38 E 37th St, New York, NY 10016]
[(212) 685-3800]
[Mary Murray Room]

Open Press/Closed Press: [Closed]

Is Event Webcast/Recorded/Transcribed: [Meeting minutes are taken, but kept for internal purposes only and are not publicly available]

Purpose of the Event: [Administrator Pruitt would briefly present on his mission as EPA Administrator, and would take questions from the table]

Speech Topic: [Balancing smart environmental policy with economic growth]

Requested Presentation Format: [Admin. Pruitt will be introduced, after which he will deliver brief remarks, which will be followed by an interactive Q&A with the Board]

Dress Code: [Business]

Speech/Presentation Duration: [10-12 min.]

Teleprompter Available: [No]

Microphone / Room Setup: [No microphone will be used. Everyone will be seated around a large table.]

Event Sponsor: [N/A]

Relationship to the EPA: [None]

Event Agenda/Program: [11:45am: Admin. Pruitt arrives at Club]
[12:00pm: Admin Pruitt will meet & greet Board of Trustees, and lunch will be served]
[12:15pm: Admin. Pruitt will deliver his remarks after being introduced]
[12:25-1:30pm: Q&A discussion]

Honorable Guests Attending: [Lawrence Mone/President, Manhattan Institute; Paul]



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Singer/Chairman, MI Board of Trustees – MI Board of Trustees]

**Notable Federal, State or Local
Appointed or Elected officials attending:**

[N/A]

Individual Introducing Administrator:

[Lawrence Mone/President, Manhattan Institute]

Person to contact for speechwriting purposes:

[N/A]

Person to contact for media purposes:

[N/A]

Origin of Invitation:

[Lawrence Mone/President, Manhattan Institute]
[lmone@manhattan-institute.org]
[212-599-7000]

Day of Event Point of Contact:

[Taisha Camacho/Dir., Events]
[tcamacho@manhattan-institute.org]
[212-599-7000]

Ex. 6 - Personal Privacy

Security Contact:

[N/A]

**Is the organization or host of the
event a registered 501(c)(3), (4),
or has a 527 Political Action Committee (PAC):**

Yes – MI is a 501(c)(3)

**Will there be a presentation of a “gift”
to the Administrator?**

No

**If so, what is the US currency value of the
gift?**

N/A

**Will a meal be provided, if so what is the US
currency value?**

Yes - \$42

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydney@epa.gov).

U.S Environmental Protection Agency
Washington, D.C.

ADMINISTRATOR SCOTT PRUITT

Board of Directors Meeting – Manhattan Institute

DATE: May 16 – May 17, 2017

EVENT TIME: 9:00AM EDT – 2:00PM EDT

LOCATION: Union League Club - 38 East 37th Street, New York, NY 10016

SPEAKING TIME: 12:15PM EDT – 1:30PM EDT

AUDIENCE: Manhattan Institute's Board of Directors

POC: Ralf Mangual: 516.384.8103

Per Diem: \$55.50/day (M&IE only)

\$111/entire trip (M&IE only)

Background:

Requested as an opportunity to allow the board members to get to know the Administrator. He has met with them once before as Attorney General.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

May 8, 2017

Prepared by: Millan Hupp

TOPIC/TALKING POINTS:

Lincoln preparing.

PRESS: CLOSED

NEED TO KNOW PARTICIPANTS:



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	No deadline for publication. For planning purposes it would be preferable if we could know by May 1 st but we expect to be able to shift the agenda to accommodate Administrator Pruitt up to a few days prior.
Event Title:	Large Public Power Council - CEO Meeting
Speech Date:	Monday, May 22 nd or Tuesday, May 23 rd , 2017
Is the Above Date Flexible:	YES – Slight Preference for May 22 nd
Speech Time & Duration:	May 22: 9:00am – 1:30pm; May 23: 10:00am – noon; 30-40 minutes
Speaker Requested:	Administrator Scott Pruitt
Would You Consider a Surrogate:	No
Event Location:	Washington Court Hotel 525 New Jersey Avenue NW, Washington, DC 20001 (202) 628-2100 Atrium Ballroom
Open Press/Closed Press:	Closed
Is Event Webcast/Recorded/Transcribed:	No
Purpose of the Event:	LPPC is a national organization founded in 1987 and is made up of the 26 largest public power utilities in our nation. LPPC CEO meetings are typically attended by over twenty CEOs from our member utilities as well as 60-80 of their senior staff. They are informal meetings that provide the opportunity for in-depth conversation and discussion on a wide range of policy issues affecting public power and, more generally, all electric utilities.
Speech Topic:	LPPC members are very interested in hearing from the Administrator about his expectation for future environmental regulation and, conversely, the elimination of regulations affecting the electric power industry. It will be important for them to hear what the Administrator looks for in a successful relationship between EPA and public power.
Requested Presentation Format:	Keynote, Q&A
Dress Code:	Business
Speech/Presentation Duration:	Flexible: 30-40 minutes with Q&A
Teleprompter Available:	No
Microphone / Room Setup:	Any kind of microphone can be provided. The room setup will depend on the date and time that the Administrator is available. He can make his presentation from a podium or he can sit at a hollow square table WITH the CEOs (senior staff will be seated around the outside of the room).



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Event Sponsor:	There are no 'outside' sponsors. The meeting, and all events associated with the meeting are sponsored by LPPC.
Relationship to the EPA:	Member utilities are regulated entities.
Event Agenda/Program:	Monday, May 22 7:30-8:45 Breakfast 8:45-12:00 Speakers/Meeting/Discussions 12-1:30 Lunch Speaker 2:30-5:30 Meetings with members of Congress at the Capitol Visitors Center Tuesday, May 23 9-12:00 Speakers/Meeting/Discussions
Honorable Guests Attending:	N/A
Notable Federal, State or Local Appointed or Elected officials attending:	Acting FERC Chairman Cheryl LaFleur. Other officials are being invited.
Individual Introducing Administrator:	Dan Sullivan, General Manager/CEO of Grand River Dam Authority
Person to contact for speechwriting purposes:	Missy Mandell, Executive Director missymandell@gmail.com office: 512.707.1010 mobile: Ex. 6 - Personal Privacy
Person to contact for media purposes:	Kathy Jeavons, Story Partners 202.706.7807 Ex. 6 - Personal Privacy
Origin of Invitation:	Nathan Reese, Grand River Dam Authority nreese@grda.com 918.610.9726 Ex. 6 - Personal Privacy
Day of Event Point of Contact:	Lyda Molanphy lyda@lppc.com 512.751.1636 Ex. 6 - Personal Privacy
Security Contact:	Lyda Molanphy lyda@lppc.com 512.751.1636 Ex. 6 - Personal Privacy
Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):	No
Will there be a presentation of a "gift"	



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

to the Administrator?

No

If so, what is the US currency value of the gift?

NA

Will a meal be provided, if so what is the US
currency value?

Optional, depending on what time of day and the timing of the presentation.

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydney@epa.gov).



ADMINISTRATOR SCOTT PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	<u>As soon as possible</u> <u>American Exploration & Production Council's (AXPC)</u> <u>Annual Washington CEO Meeting</u>
Event Title:	<u></u>
Speech Date:	<u>5/24/17</u> <u>No</u>
Is the Above Date Flexible:	<u>Anytime from 9AM to 11AM; Duration: 20-30 mins.</u>
Speech Time & Duration:	<u></u>
Requesting Group:	<u>AXPC</u>
Would You Consider a Surrogate:	<u>We would prefer the Administrator</u>
Event Location:	<u>485 Russell Senate Office Building – (Senate Committee</u> <u>hearing room.)</u> <u>One can be arranged as needed.</u>
Is there a Hold Room Available for the Administrator?:	<u></u>
Open Press/Closed Press?:	<u>Closed</u>
Is Event Webcast/Recorded/Transcribed:	<u>No</u>
Purpose of the Event:	<u>Annual Washington DC meeting of AXPC Member</u> <u>company CEOs and other c-suite executives to discuss</u> <u>public policy as it relates to oil and gas production.</u>
Requested Speech Topic:	<u>Environmental regulation of oil and gas industry</u>
Requested Presentation Format:	<u>Administrator's remarks followed by brief Q&A</u>
Dress Code:	<u>Business</u>
Speech/Presentation Duration:	<u>At the administrators choosing – Approx. 10-15 mins of</u> <u>remarks and as much Q&A as he would like.</u>
Teleprompter Available:	<u>NO</u>



Microphone / Room Setup:

ADMINISTRATOR SCOTT PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Senate Committee hearing room (Russell 485). Tables set up as a hollow rectangle with CEOs seated around the tables and microphones in front of each speaker. Similar to a committee mark up.

Event Sponsors:

American Exploration & Production Council (www.axpc.us)

Relationship to the EPA:

Run of Show/ Agenda:

*The entire meeting lasts between (9AM and 12:30pm.)
Meeting for the trade association membership with several visiting members of Congress to discuss oil and gas regulation.*

Honorable Guests Attending:

Various Senators and Members of Congress will also be speaking to the group.

**Notable Federal, State or Local
Appointed or Elected officials
attending:**

See above.

Individual Introducing Administrator:

Bruce Thompson – President of AXPC

Event Audience:

45 CEOs and senior executives from AXPC member companies.

**Person to contact for media
purposes:**

Bruce Thompson, bthompson@axpc.us ; 202.638.7979

Annually

**Is this event held Weekly, Monthly,
Annually?:**

Day of Event Point of Contact:

*Ryan Thompson; thompsonr@akingump.com ;
202.236.7885*

Security Contact:

Same as above

**Suggested Entrance/ Exit to Event
Venue:**

Russell Senate Building



ADMINISTRATOR SCOTT PRUITT SPEAKER REQUEST FORM

U.S. Environmental Protection Agency

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):

No

Will there be a presentation of a "gift" to the Administrator?

No

If so, what is the US currency value of the gift?

No

Will a meal be provided, if so what is the US currency value?

No

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydney@epa.gov).

External Meeting Request Form for Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

To request the Administrator to attend and/or speak at your event, please complete and submit the following form.

Today's Date: 4.4.17

Meeting Date: Either May 9th between 3:30pm and 5:30pm or May 10th at approximately 9:00am

Meeting Time: Either May 9th between 3:30pm and 5:30pm or May 10th at approximately 9:00am

Requested Location (if offsite, please list address, parking instructions, etc.): We can be flexible based on your space for a meeting at the agency. We can come to the Administrators office, or he can come to meet us at the Grand Hyatt on 11th and H, NW. We anticipate a group of approximately 35-45 participants.

Requestor: Autumn Moore of the Toy Association

Purpose of the Meeting: Introductory meeting to brief the Administrator on toy industry issues at the Agency, primarily TSCA/LCSA implementation and regulatory reform. Toy Association attendees will include Association Board members, company CEOs and representatives of toy companies.

Background on the Meeting: The Toy Association recently began working with EPA on TSCA/LCSA implementation, which was an industry priority while being considered by Congress. We would greatly appreciate an opportunity to brief the Administrator on our priority implementation issues and to discuss the Agency's next steps on implementation.

Role of the Administrator: Our Association members greatly respect Administrator Pruitt and are eager to meet with him to have a shared discussion around EPA issues and to hear the Administrator's priorities going forward.

Attendees: See attached spreadsheet

Point of Contact: Autumn Moore, amoore@toyassociation.org, 202.459.0350 (office),

Ex. 6 - Personal Privacy (cell)

First Name	Last Name	Company
Tom	Albert	Feld Entertainment
Michelle	Balliet	Crayola, LLC
Doug	Blaine	Bachmann Trains
Kirsten	Bloxom	ThinkFun Inc.
Stephane	Brissaud	IELLO
Anthony	Cartiglia	The Queen's Treasures, Inc.
Joann	Cartiglia	The Queen's Treasures, Inc.
Mike	Castellano	Disney
Hailey	Catlin	American Plastic Toys Inc
Jennifer	Caveza	Nickelodeon
Mike	Champion	CCA & B Inc.
Stacy	Dansky	Viacom
Edward	Desmond	The Toy Association
Jennifer	DuBuisson	LEGO Systems, Inc.
Charlie	Emby	Just Play, LLC
Barbara	Finigan	Hasbro
Jay	Foreman	The Bridge Direct
Hillary	Gardner	CCA & B Inc.
John	Gessert	American Plastic Toys Inc
Jeannine	Gibson	C & A Scientific
David	Hargreaves	Hasbro
Al	Kaufman	The Toy Association
Jeffrey	Kennis	Enchanted Moments
Skip	Kodak	LEGO Systems, Inc.
Elton	Kume	LEGO Systems, Inc.
Joan	Lawrence	The Toy Association
DeDe	Lea	Viacom
Frederick	Locker	The Toy Association
Nancy	MacPherson	LEGO Systems, Inc.
Martha	Marrapese	Wiley Rein LLP
Paul	May	USAOPOLY
Mandy	McCarthy	CCA & B Inc.
Lauren	McFerrin Johnson	Prodotto
Drew	Metz	Melissa and Doug
Trent	Middleton	C & A Scientific
Rebecca	Mond	The Toy Association
Autumn	Moore	The Toy Association
Leigh	Moyers	Feld Entertainment
Aaron	Muderick	Crazy Aaron Enterprises Inc
Corinne	Murat	Mattel, Inc.
Thomas	Nirschl	USAOPOLY
Steve	Pasierb	The Toy Association
Hollyn	Schuemann	Viacom
Joe	Shymanski	The Toy Association
Samantha	Slosberg	The Toy Association
Tom	St. Maxens	Mattel, Inc.

Joel	Tennenberg	Toys 'R' Us
William	To	VTech Electronics
Manuel	Torres Port	NBCUniversal
Peter	Trillingsgaard	LEGO Systems, A/S
Kathy	Tyler	Cloud B
Paul	Vitale	The Toy Association
Geoffrey	Walker	Mattel, Inc.
Bob	Wann	PlayMonster, LLC
John	Ward	Game Manufacturers Association
Jessica	Wright	C & A Scientific
Justin	Ziran	WizKids
Nancy	Zwiers	Spin Master



2017

ACYPL Honors Evening

Recognizing ACYPL alumni

EPA Administrator Scott Pruitt
and
NC Governor Roy Cooper

Wednesday, September 13, 2017
6-8pm, Remarks at 7pm

DLA Piper, 7th Floor Terrace
500 8th St NW
Washington, DC 20004

Please respond to
cschupp@acypl.org or
202.448.9324

\$25,000 CHAIR • 20 guests, written and verbal acknowledgement
\$10,000 SPONSOR • 10 guests, written and verbal acknowledgement
\$5,000 HOST • 5 guests, verbal acknowledgement
\$500 INDIVIDUAL
\$250 ACYPL ALUMNUS

Contribute at acypl.org/events

ACYPL is a 501(c)(3) organization. All contributions are tax deductible as allowed by US law.



Meeting Request Form for Administrator Scott Pruitt

Today's Date: 9/7/17

Meeting Date: 9/13/17

Meeting Time: 4:15

Requested Location (if offsite, please list address, parking instructions, etc.): EPA

Requestor: EPA

Purpose of the Meeting: Introduce Oklahoma State Chamber to the EPA during their D.C. fly-in

Background on the Meeting: The D.C. fly-in for the Oklahoma State Chamber will take place Sept. 12-14. They are in town to discuss policy issues with agencies and Oklahoma Members of Congress.

Role of the Administrator: Facilitator.

Attendees: TBD

Point of Contact: Mike Jackson- 580-402-3778



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM U.S. Environmental Protection Agency

Deadline for Acceptance: _____

Requesting Individual / Affiliation: Candice Boyer, Americans for Tax Reform

Event Title: Wednesday Meeting

Event Date: 9/11/2017

Is the Above Date Flexible: Yes

Event Time & Duration: 10am -11:30am (The Administrator does not need to stay the whole time.)

Type of Event: Meeting

Purpose of the Event: Weekly, off the record, 150 conservative think tanks and activists

Role of the Administrator: 3-5min presentation, Possible questions from group (we have 25 presentations total)

Requested Presentation Topic, if Speaking Involved: _____

Requested Presentation Format: These presentations are short and pretty rapid fire

Speech/Presentation Duration: Absolutely no more than 5 min.

Would You Consider a Surrogate: Yes, but we prefer the Administrator

Event Location: Americans for Tax Reform, 722 12th Street, NW 6th floor

Event Audience: 150

Event Host(s)/Organizer(s): List all hosts organizing the event

Host(s)' Relationship to EPA: _____

Run of Show/ Agenda: Agenda is off the record, happy to discuss via phone

Is there a Hold Room Available for the yes



Administrator?

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
Open Press/Closed Press? *Off the record*
U.S. Enviro

Dress Code: *Business*

Teleprompter Available: *no*

Microphone / Room Setup: *Hand held mic*

Honorable Guests Attending: *Will update you day before*

Notable Federal, State or Local Appointed or
Elected officials attending:

Individual Introducing Administrator: *Tim Jones, Former Speaker of MO House*

Person to contact for media purposes: *John Kartch, ATR Commination's*

Is this event held Weekly, Monthly,
Annually? *Each week*

Day of Event Point of Contact: *Name & Title; Email; Office Number, Cell Number*

Security Contact: *Name & Title; Email; Office Number, Cell Number*

Suggested Entrance/ Exit to Event Venue: *Front or back door—your choice*

Is the host of the event a registered 501(c)(3),
(4), or has a 527 Political Action Committee
(PAC): *yes*

Will there be a "gift" presented to the
Administrator? If so, what is the US
currency value of the gift? *no*

Will a meal be provided, if so what is the US
currency value? *No—there are coffee and donuts.*

Please return this form completed to scheduling@epa.gov and Aaron Dickerson at dickerson.aaron@epa.gov



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	<u>[Publication or otherwise; please see details below]</u>
Event Title:	<u>US Oil & Gas Association Board of Directors and Executive Committee Annual Meeting</u>
Speech Date:	<u>May 25th 2017</u>
Is the Above Date Flexible:	<u>No</u>
Speech Time & Duration:	<u>Sometime between 9-Noon It is a half day meeting</u>
Speaker Requested:	<u>Administrator Scott Pruitt</u>
Would You Consider a Surrogate:	<u>No, regrettably</u>
Event Location:	<u>Hay Adams Hotel</u> <u>800 16th Street NW, Washington, DC 20006</u> <u>Concord Room</u>
	<u>No Press</u>
Is Event Webcast/Recorded/Transcribed:	<u>No</u>
Purpose of the Event:	<u>Meeting of industry CEOs and Presidents to discuss energy/environmental policy; learn about Trump Administration</u>
Speech Topic:	<u>General Interest in the Administrator's Goals for EPA</u>
Requested Presentation Format:	<u>5/10 statement with some time for a short discussion</u>
Dress Code:	<u>Business</u>
Speech/Presentation Duration:	<u>Total Remarks and Discussion – 30 Minutes</u>
Teleprompter Available:	<u>No</u>
Microphone / Room Setup:	<u>Yes for microphone if desired Set-up Hollow Square</u>
Event Sponsor:	<u>US Oil & Gas Association, Oklahoma Oil & Gas Association, Texas Oil & Gas Association, Louisiana Mid-Continent Oil & Gas Association, USOGA Mississippi/Alabama</u>
Relationship to the EPA:	<u>Regulated</u>
Event Agenda/Program:	<u>[Time: 8:00 – 9:30 Chairman Kevin Brady, Speaker Ryan, Majority Leader McCarthy</u> <u>Secretary Zinke, Secretary Perry</u>
Honorable Guests Attending:	<u>n/a</u>
Notable Federal, State or Local Appointed or Elected officials attending:	<u>n/a</u>



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Individual Introducing Administrator: Chad Warmington, President Oklahoma Oil & Gas Association
(OKOGA)

Person to contact for speechwriting purposes: Donelle Harder (OKOGA) cell: Ex. 6 - Personal Privacy or
Donelle@okoga.com; or Alby Modiano, President USOGA DC 202-
638-4400

Person to contact for media purposes: n/a

Origin of Invitation: Donelle Harder
Donelle@okoga.com
405.843.5741
Ex. 6 - Personal Privacy

Alby Modiano
amodiano@usoga.org
202.638.4400

Day of Event Point of Contact: Michelle Brown
m_brown@usoga.org
202.638.4400
Ex. 6 - Personal Privacy

Security Contact: Michelle Brown
(same as above)

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): No

Will there be a presentation of a "gift" to the Administrator? No

What is the value of gift? n/a

Will a meal be provided, if so what is the US coffee, tea, water

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydney@epa.gov).

External Meeting Request Form for Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

To request the Administrator to attend and/or speak at your event, please complete and submit the following form.

Today's Date: August 28, 2017

Meeting Date:

Sept. 15- morning

Sept. 25

Sept. 26

Sept. 29-afternoon

Meeting Time:

Sept. 15- morning

Sept. 25

Sept. 26

Sept. 29-afternoon

Requested Location (if offsite, please list address, parking instructions, etc.): EPA DC office

Requestor: Mimi Braniff, Managing Director for Delta Air Lines on behalf of:

1) Graeme Burnett, SVP of Fuel Optimization for Delta Air Lines and Chairman of the Board for Monroe Energy (a wholly owned subsidiary of Delta Air Lines)

2) Jeff Warmann, CEO of Monroe Energy

Purpose of the Meeting: To discuss the Renewable Fuel Standard (RFS), the impact the standard has had on the merchant refining industry, and Delta/Monroe's suggestions to fix the RIN market.

Background on the Meeting: Delta purchased a refinery in Pennsylvania in 2012. Monroe Energy (a wholly owned subsidiary of Delta) operates the refinery, and it is one of the few refineries still operating in the Northeast region. Unlike integrated refiners who produce finished gasoline and can separate RINs when they blend renewable fuel, merchant refiners-such as Monroe Energy- must buy a majority of their RINs on the secondary market.

For 2016, our compliance costs were greater than the purchase price of our refinery. We would like to have the opportunity to share our ideas on how to fix the RIN market to make the RFS a better program.

Role of the Administrator: The Administrator oversees the RFS.

Attendees:

- 1) Graeme Burnett, SVP of Fuel Optimization for Delta Air Lines and Chairman of the Board for Monroe Energy
- 2) Jeff Warmann, CEO of Monroe Energy
- 3) Mimi Braniff, Managing Director, Delta Air Lines
- 4) Steve Shimberg, SJSOLUTIONS PLLC, outside counsel

Point of Contact:

Mimi Braniff- Managing Director, Delta Air Lines
Direct- 202-243-3580
Cell- Ex. 6 - Personal Privacy
Mimi.braniff@delta.com

From: [Fugh, Justina](#)
To: [Ford, Hayley](#)
Cc: [Keith, Jennie](#)
Subject: RE: Ethics Request: Delta Air Lines 9.29.17
Date: Wednesday, September 6, 2017 2:39:27 PM

Hayley,

Ex. 5 - Attorney Client

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Ford, Hayley
Sent: Wednesday, September 06, 2017 2:23 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>
Subject: Ethics Request: Delta Air Lines 9.29.17

Another for you! This would be a 45 minute meeting at the EPA. Thanks!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: 202-306-1296

Confidential

COUNCIL FOR NATIONAL POLICY

The Next 100 Days
The Ritz-Carlton, Tysons Corner
McLean, Virginia
May 18-20, 2017

Members will be notified of final program changes and additions on the CNP App.

Thursday, May 18, 2017

Gold Circle Reception & Dinner

Exclusively for Members and Spouses of the Gold Circle and Executive Committee

United States Capitol
4:00 - 10:00 p.m.

Featured Speaker

The Honorable Paul Ryan

Speaker of the House and Member (WI-1)
U.S. House of Representatives

Schedule

4:00 p.m. ~ Gather in Hotel Arrival Lobby, First Floor
4:15 p.m. ~ Buses Depart
5:30 p.m. ~ Reception
6:30 p.m. ~ Dinner & Program
9:00 p.m. ~ Depart Capitol
10:00 p.m. ~ Return to The Ritz-Carlton, Tysons Corner

Friday, May 19, 2017

Executive Committee Meeting

Exclusively for Members of the Executive Committee

8:00 - 9:30 a.m.
Colonnade Room, Sixth Floor

Meeting Registration

All Attendees Should Visit the CNP Registration Desk Prior to Attending Any Sessions

8:30 a.m. - 5:30 p.m.
The Ritz-Carlton Ballroom Foyer, Fifth Floor

Friday, May 19, 2017

Gold Circle, Board of Governors & New Members Brunch Event

Exclusively for Members, Spouses and Official Visitors of the Gold Circle, Board of Governors and Executive Committee as well as New Members and Spouses

9:30 - 11:30 a.m.

The Ritz-Carlton Ballroom, Salon III, Fifth Floor

Award Presentation

Edwin Meese III Award for Originalism & Religious Liberty, Alliance Defending Freedom

Recipients

The Honorable Dan Forest

Lieutenant Governor, State of North Carolina

Mr. Alan E. Sears, Esq.

Founder, Alliance Defending Freedom



Thanks to Our Sponsors

Alan Sears and Mike Farris



William F. Buckley Jr. Council Meeting

Exclusively for Members, Spouses and Official Visitors of the Buckley Council

10:00 - 11:30 a.m.

Old Dominion Room, Fourth Floor

Special Guest

Dr. Edwin J. Feulner, Jr.

Founder, The Heritage Foundation



Light Lunch

Open to All Attendees

Open Seating in the Ballroom Foyer and on the Terrace

11:00 - 11:45 a.m.

The Ritz-Carlton Ballroom Foyer, Fifth Floor

Friday, May 19, 2017

General Session

Open to All Attendees

12:00 - 3:00 p.m.

The Ritz-Carlton Ballroom, Salons I & II, Fifth Floor

Welcome

12:00 - 12:15 p.m.



Candidate Introductions

12:15 - 12:25 p.m.

Member & Visitor Introductions

12:25 - 1:15 p.m.

General Session Speaker

1:15 - 1:45 p.m.

Capitol Hill Update

The Honorable Mark Walker

Chairman, Republican Study Committee

Member (NC-6), U.S. House of Representatives

General Session Speaker

1:45 - 2:15 p.m.

The Honorable Steve Scalise

Majority Whip and Member (LA-1)

U.S. House of Representatives

General Session Speaker

2:15 - 2:45 p.m.

The Honorable E. Scott Pruitt

Administrator, U.S. Environmental Protection Agency

Networking Room

3:00 - 3:30 p.m.

The Ritz-Carlton Ballroom, Salon III, Fifth Floor

Thanks to Our Sponsors

Lee Roy and Tandy Mitchell, Gold Circle Members

Friday, May 19, 2017



Action Session I

Sponsored by CNP Action, Inc.

Open to All Attendees

3:30 - 5:00 p.m.

The Ritz-Carlton Ballroom, Salon I, Fifth Floor

Do We Still Have a Constitution?

Facilitator

The Honorable Edwin Meese III

Ronald Reagan Distinguished Fellow Emeritus

The Heritage Foundation



Participants

Mr. Charles J. Cooper

Founding Member and Chairman

Cooper & Kirk, PLLC



Mrs. Carrie Severino

Chief Counsel and Policy Director

Judicial Crisis Network

Mr. Kelly J. Shackelford, Esq.

President and CEO, First Liberty Institute



Action Session II

Sponsored by CNP Action, Inc.

Open to All Attendees

3:30 - 5:00 p.m.

The Ritz-Carlton Ballroom, Salon II, Fifth Floor

Draining the Swamp: Fighting the Deep State

Facilitator

Mr. Thomas Fitton

President, Judicial Watch, Inc.



Break

5:00 - 6:00 p.m.

Catholic Caucus Meeting

5:00 - 6:00 p.m.

Boardroom, Sixth Floor

Friday, May 19, 2017

Evening Reception

Open to All Attendees

6:00 - 6:45 p.m.

The Ritz-Carlton Ballroom Foyer, Fifth Floor

Thanks to Our Reception Sponsor

Steve Hotze, M.D.

Founder and CEO, Hotze Health

and Wellness Center

Author, **Hypothyroidism, Health**

& Happiness



Complimentary Copies Available for Signing

Beer Tasting Hosted by:

Jeff and Amy Frederick

Brew Republic Bierwerks



Dinner Seating

Assigned Seating for All Attendees

6:45 - 7:10 p.m.

Evening Session

Open to All Attendees

7:10 - 9:30 p.m.

The Ritz-Carlton Ballroom, Salons I & II, Fifth Floor

Welcome

7:10 - 7:15 p.m.

Dinner

7:15 - 8:45 p.m.

Award Presentation

8:45 - 9:30 p.m.

Mrs. Kellyanne Conway, Esq.

Counselor to the President

Recipient, Richard M. DeVos Free Enterprise

Award for Exceptional Leadership



Dessert Reception

Open to All Attendees

9:30 - 10:30 p.m.

The Ritz-Carlton Ballroom Foyer, Fifth Floor

Thanks to Our Sponsor

Robert Alt

The Buckeye Institute



THE BUCKEYE INSTITUTE

Prayer Service

Open to All Attendees

10:00 - 11:00 p.m.

Colonnade Room, Sixth Floor

Saturday, May 20, 2017

Meeting Registration

7:30 a.m. - 3:30 p.m.

The Ritz-Carlton Ballroom Foyer, Fifth Floor

Buffet Breakfast

Open to All Attendees

Open Seating in the Ballroom

7:30 - 9:30 a.m.

The Ritz-Carlton Ballroom Foyer, Fifth Floor

Welcome & Member Reports

Open to All Attendees

8:20 - 10:00 a.m.

The Ritz-Carlton Ballroom, Salons I & II, Fifth Floor

Networking Room

9:30 a.m. - 3:00 p.m.

The Ritz-Carlton Ballroom, Salon III, Fifth Floor

Thanks to Our Sponsors

Lee Roy and Tandy Mitchell, Gold Circle Members

Break

10:00 - 10:15 a.m.

General Session

Open to All Attendees

10:15 a.m. - 12:30 p.m.

The Ritz-Carlton Ballroom, Salons I & II, Fifth Floor

General Session Speaker

10:30 - 11:00 a.m.

Dr. Frank Luntz

Founder and Chairman, Luntz Global

General Session Panel

11:00 a.m. - 12:15 p.m.

Foreign Policy & National Defense Discussion

Participants

Lt. Gen. William G. Boykin (Ret.)

Executive Vice President

Family Research Council



Mr. Herman Pirchner, Jr.

Founding President

American Foreign Policy Council (AFPC)



Saturday, May 20, 2017

Light Lunch

Open to All Attendees

Open Seating in the Networking Room & Ballroom Foyer

12:45 - 1:30 p.m.

The Ritz-Carlton Ballroom, Salon III, Fifth Floor

Thanks to Our Sponsor

Joan Lindsey

Lindsey Communications



lindseycommunications
biographical marketing programs



Action Session I

Sponsored by CNP Action, Inc.

Open to All Attendees

1:30 - 3:00 p.m.

The Ritz-Carlton Ballroom, Salon I, Fifth Floor

Social Media's Impact on the Political Process

Facilitator

Mr. Michael W. Thompson, Jr.

Senior Vice President, CRC Public Relations



Action Session II

Sponsored by CNP Action, Inc.

Open to All Attendees

1:30 - 3:00 p.m.

The Ritz-Carlton Ballroom, Salon II, Fifth Floor

Rein in Regulatory Overreach: The Power of the Congressional Review Act (CRA)

Facilitator

Mr. Robert Alt

President and CEO, The Buckeye Institute



Participants

Mr. Todd F. Gaziano

Executive Director, Senior Fellow in Constitutional Law

Pacific Legal Foundation - DC Center

Dr. Paul S. Teller

Special Assistant to the President for

Legislative Affairs, The White House



Break

3:00 - 6:00 p.m.



Social Media Training

Sponsored by CNP Action, Inc.

Open to All Attendees

3:30 - 5:00 p.m.

The Ritz-Carlton Ballroom, Salon I, Fifth Floor

Facilitator

Mr. Michael W. Thompson, Jr.

Senior Vice President, CRC Public Relations



Saturday, May 20, 2017



CNP Action, Inc. Board Meeting

Exclusively for Members of the CNP Action, Inc.

Board of Directors

3:30 - 4:30 p.m.

Boardroom, Sixth Floor

Catholic Mass

Open to All Attendees

4:30 - 5:30 p.m.

The Plaza Room, Sixth Floor

Celebrant

Father Frank Pavone

National Director, Priests for Life



Evening Reception

Open to All Attendees

6:00 - 6:45 p.m.

The Ritz-Carlton Ballroom Foyer, Fifth Floor

Beer Tasting Hosted by:

Jeff and Amy Frederick

Brew Republic Bierwerks



Dinner Seating

Assigned Seating for All Attendees

6:45 - 7:10 p.m.

Evening Session

Open to All Attendees

7:10 - 9:30 p.m.

The Ritz-Carlton Ballroom, Salons I & II, Fifth Floor

Welcome

7:10 - 7:30 p.m.

Dinner

7:30 - 8:45 p.m.

Program

8:45 - 9:30 p.m.

Dessert Reception

Open to All Attendees

9:30 - 10:30 p.m.

The Ritz-Carlton Ballroom Foyer, Fifth Floor

Thanks to Our Sponsor

Art Ally

Timothy Partners, Ltd., Advisor to Timothy Plan



TIMOTHY PLAN
Investing with Biblical Principles

Prayer Service

Open to All Attendees

10:00 - 11:00 p.m.

The Plaza Room, Sixth Floor

Sunday, May 21, 2017

**Continental Breakfast & Worship
Service**

Open to All Attendees

Casual Attire

7:30 - 9:30 a.m.

The Ritz-Carlton Ballroom, Salon III, Fifth Floor

Breakfast

7:30 a.m.

Worship Service

8:00 a.m.

Message

Dr. Gary D. Frazier

Executive Vice President, United in Purpose





COUNCIL FOR NATIONAL POLICY

May 5, 2017

The Honorable E. Scott Pruitt
Administrator
U.S. Environmental Protection Agency
Office of the Administrator - 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt:

Thanks for accepting our invitation to speak at the May 18-20, 2017 Council for National Policy meeting at The Ritz-Carlton, Tysons Corner in McLean, Virginia.

This letter will establish the preliminary details of your presentation. **Please review and respond to the information on the following pages at your earliest convenience.**

Included in this document is a copy of our standard speaker release and guidelines form. Following meetings, we distribute recordings of speaker remarks to members and guests and occasionally post remarks to our website. However, we only do these things with your prior approval.

If you're willing to have your remarks recorded and released, please sign and return the form by email to amy@cfnp.org or by fax to (202) 207-0173. Otherwise, we will record for archival purposes only and will send you a copy.

Once again, we're grateful for your participation, and I look forward to working with you.

Warmest regards,

Amy D. Greene
Director of Programs

444 NORTH CAPITOL STREET, NW • SUITE 830 • WASHINGTON, DC 20001
PHONE (202) 207-0165 • FAX (202) 207-0173 • E-MAIL CNP@CFNP.ORG

**Council for National Policy
First Confirmation
The Honorable E. Scott Pruitt
May 18-20, 2017**

Presentation Specifics:

Date: Friday, May 19, 2017

Location: The Ritz-Carlton, Tysons Corner
1700 Tysons Boulevard
McLean, Virginia 22102
Phone: (703) 506-4300
www.ritzcarlton.com/tysons

Point of Contact: Amy Greene, Amy@cfnp.org
Work: (202) 207-0165 Cell: Ex. 6 - Personal Privacy

Room: The Ritz-Carlton Ballroom, Salons I & II, Fifth Floor

Presentation Time: 2:15 - 2:45 PM (25 total minutes for remarks and Q&A)

Title: Please send a title for your remarks.

Audio/Visual Needs: Microphone and Podium (let me know if you need anything additional such as a lapel microphone or PowerPoint/video capabilities)

Introducer: TBD

Additional Information: Dress for CNP meetings is business attire

* Please arrive at least 30 minutes before the start of your presentation. We do our best to keep the program running on schedule and can only be successful when all speakers arrive on time.

Please send the following information:

- Preferred Program Listing (Full Name, Position Title, Organization/Company)
- Short Narrative Biography (Approximately 150 words)
- RSVP for Meals You Plan to Attend:
 - Friday Brunch (9:30-11:30 am) ☐yes ☐no
 - Friday Reception & Dinner (6:00-9:30 pm) ☐yes ☐no
 - Saturday Breakfast Buffet (7:30-9:30 am) ☐yes ☐no
 - Saturday Reception & Dinner (6:00-9:30 pm) ☐yes ☐no
- Name of Person Accompanying You (circle or add appropriate title):
Mr./Mrs./Miss/Dr. _____

**Council for National Policy
First Confirmation
The Honorable E. Scott Pruitt
May 18-20, 2017**

Speaker Contact Information:

Please review your contact information below for accuracy and make any necessary updates. **Please list the best cell phone number on which to reach you the day of your presentation.** All contact information will remain confidential.

Phone Number and Email:

Work Phone: (202) 816-1659

Work Email: hupp.sydney@epa.gov

Cell Phone:

Mailing Address: *Please let me know if the below address is current.*

The Honorable E. Scott Pruitt

Administrator

U.S. Environmental Protection Agency

Office of the Administrator - 1101A

1200 Pennsylvania Avenue, N.W.

Washington, DC 20460

Council for National Policy
Speaker Release & Speaker Guidelines Form
The Honorable E. Scott Pruitt
May 18-20, 2017

Speaker Release Form

I authorize the Council for National Policy to distribute recordings and/or printed versions, including posting on our website, of the presentation entitled "Remarks" presented by The Honorable E. Scott Pruitt at the May 18-20, 2017 meeting of the Council for National Policy.

Speaker Guidelines

I acknowledge that I have read and agree to observe CNP's Standard Speaker Guidelines Document Regarding Political Activity.

The Honorable E. Scott Pruitt

Date

Please sign this page and return it to the attention of Amy Greene
by email (Amy@cfnp.org) or fax (202-207-0173).



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	<u>May 1, 2017</u>
Event Title:	<u>Council for National Policy Meeting</u>
Speech Date:	<u>May 19 or 20</u>
Is the Above Date Flexible:	<u>No</u>
Speech Time & Duration:	<u>May 19 at 1:45 pm or 2:15 pm; May 20 at 11:00 am or 11:30 am; May 20 Evening Session (reception at 6:00 pm, dinner at 7:00 pm, remarks preferably after dinner). Remarks would be 25 minutes at any of these opportunities.</u>
Speaker Requested:	<u>Administrator Scott Pruitt</u>
Would You Consider a Surrogate:	<u>No</u>
Event Location:	<u>The Ritz-Carlton, Tysons Corner</u> <u>1700 Tysons Blvd, McLean, Virginia 22102</u> <u>703-506-4300</u> <u>The Ritz-Carlton Ballroom, Salons I & II, Fifth Floor</u>
Open Press/Closed Press:	<u>Closed</u>
Is Event Webcast/Recorded/Transcribed:	<u>Recorded – audio & video. If a release is signed, we will share it with our members. If a release is not signed, we will record for archival purposes only.</u>
Purpose of the Event:	<u>CNP is the premier conservative membership organization comprised of more than 400 of America's most influential leaders. These educational events are held three times each year to build coalitions, strengthen the conservative movement, and thus seek to restore our nation to its founding principles.</u>
Speech Topic:	<u>Challenges and Opportunities at EPA – how Conservatives can help you achieve your policy objectives.</u>
Requested Presentation Format:	<u>Keynote (possibly with Q&A)</u>
Dress Code:	<u>Business</u>
Speech/Presentation Duration:	<u>25 Minutes</u>
Teleprompter Available:	<u>No</u>
Microphone / Room Setup:	<u>Podium with Microphone (lapel can be requested). Two large screens on either side of the ballroom – tables will either be classroom or rounds, depending upon when the Administrator speaks.</u>
Event Sponsor:	<u>Council for National Policy (some of our members sponsor various portions of the event, such as our dessert receptions/lunches). I'm happy to share those, if necessary. They do not have any control, however, over planning of the event or program.</u>



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Relationship to the EPA: N/A

Event Agenda/Program: Attached to email.

Honorable Guests Attending: Congressman Mark Walker, Kellyanne Conway (counselor to the president), others TBD

Notable Federal, State or Local Appointed or Elected officials attending: TBD

Individual Introducing Administrator: TBD

Person to contact for speechwriting purposes: Amy Greene
Amy@cfnp.org
202-207-0165
Ex. 6 - Personal Privacy

Person to contact for media purposes: N/A

Origin of Invitation: Tony Perkins (CNP President)
Bob McEwen (CNP Executive Director)
BobMcEwen@cfnp.org
202-207-0165
Ex. 6 - Personal Privacy

Day of Event Point of Contact: Amy Greene
Amy@cfnp.org
202-207-0165
Ex. 6 - Personal Privacy

Security Contact: Amy Greene
Amy@cfnp.org
202-207-0165
Ex. 6 - Personal Privacy

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): 501c3

Will there be a presentation of a "gift" to the Administrator? No

If so, what is the US currency value of the gift? N/A

Will a meal be provided, if so what is the US currency value? If he speaks at dinner, yes. Approximately \$125. A more accurate cost can be given once the menu is finalized.


Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydnev@epa.gov).



COUNCIL FOR NATIONAL POLICY

Standard Speaker Guidelines Regarding Political Activity

Council for National Policy (CNP) is exempt from federal income tax under §501(c)(3) of the Internal Revenue Code. As such, it cannot “participate in, or intervene in (including through the making of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.” This restriction applies only to election campaigns, and does not apply to lobbying activities regarding legislation or ballot initiatives or referendums (in which the public is the legislature).

 CNP Action, Inc. is exempt from federal income tax under §501(c)(4) of the Internal Revenue Code. As such, it may engage in political activity to some extent, but such activity may not be its primary activity. However, under federal and state election laws, both CNP and CNP Action, Inc. are prohibited from making direct and in-kind contributions to or on behalf of federal and many state candidates, and both are subject to limits on the extent to which they may refer to candidates (even in discussions of public policy issues) during certain pre-election periods.

To help CNP and CNP Action, Inc. ensure that they comply with the requirements of §501(c)(3) and §501(c)(4), respectively, and with federal and state election laws, without compromising their message, CNP and CNP Action, Inc. respectfully request that you observe the following guidelines regarding political activity when you participate in any activity sponsored by CNP and CNP Action, Inc.

Speakers: In any public presentation at an event sponsored by CNP and CNP Action, Inc., please do not endorse or denigrate any candidate for public office, or any political party, and do not use legislative issues in order to comment on, otherwise attempt to affect, any election. Favorable comments about a candidate’s past actions as a private citizen or public official should be avoided if a reasonable person would construe them as an endorsement of his candidacy.

Candidates: If you are a candidate for elective public office, please avoid any mention of your candidacy, or any impending election. Please do not conduct any fundraising or distribute any campaign literature on CNP’s premises or at any event sponsored by CNP and CNP Action, Inc., and do not otherwise use CNP’s resources, *e.g.*, office equipment and supplies, for your campaign.

Officeholders: In some cases, CNP and CNP Action, Inc. invites public officials to speak at or attend an event because of the office you hold in federal, state, or local government, and not because you are or may be a candidate for re-election, or for election to another public office. At such events, please do not engage in campaign activity, or otherwise suggest that your presence indicates endorsement of your incumbency or candidacy (if any), or opposition to your opponent (if any), by CNP and CNP Action, Inc.

Others: Please do not distribute campaign literature, conduct fundraising activities, or otherwise engage in political activity immediately before, during, or immediately after any event sponsored by CNP and CNP Action, Inc.

Thank you for your consideration. Your participation in any event sponsored by CNP and CNP Action, Inc. indicates that you have agreed to observe these guidelines. If you have any questions about the meaning or application of these guidelines, please contact Bob McEwen at (202) 207-0165.

444 NORTH CAPITOL STREET, NW • SUITE 830 • WASHINGTON, DC 20001
PHONE (202) 207-0165 • FAX (202) 207-0173 • E-MAIL CNP@CFNP.ORG

From: Hupp, Sydney
Location: Green Room
Importance: Normal
Subject: Speaking Engagement: 27th Annual Administrator's Small Business Awards Ceremony
Start Date/Time: Thur 5/4/2017 3:00:00 PM
End Date/Time: Thur 5/4/2017 3:30:00 PM
OSDBU 27th Annual Administrators Awards Event Memo 050217 final.docx

**U.S. ENVIRONMENTAL PROTECTION AGENCY
Washington, DC**

May 2, 2017

ADMINISTRATOR'S 27TH ANNUAL SMALL BUSINESS PROGRAM AWARDS CEREMONY

DATE: May 4, 2017

LOCATION: Rachel Carson Great Hall
3rd Floor William Jefferson Clinton North
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

EVENT TIME: Starts at 11:00 AM

YOUR TIME: **11:00 AM – 11:30 AM**

FROM: Silvina Fonseca

I. PURPOSE

The Administrator will give welcoming remarks and present the Administrator's Awards at the Administrator's 27th Annual Small Business Program Awards Ceremony. The event honors EPA employees and small businesses for significant accomplishments and contributions to the small business community and public environment. The Office of Small and Disadvantaged Business Utilizations' (OSDBU) Director will also recognize those program offices and regions that have met or exceeded the goals in at least four of the five small business procurement categories. The coveted OSDBU Director's Crystal Duck Award will also be presented to those who have shown a strong commitment to EPA's Small Business Program and performed activities resulting in significant accomplishments within their program office/region.

II. PARTICIPANTS

EPA

- **YOU**
- Denise Sirmons, Director, EPA Office of Small and Disadvantaged Business Utilization
- Joan B. Rogers, Deputy Director, EPA OSDBU
- Lamont Norwood, Direct Procurement National Program Manager
- Award recipients (see attached)
- Approximately 60 attendees, mainly EPA staff and management from around the country

Non-EPA

- Ian D. MacFarlane, President and CEO of EA Engineering, Science & Technology Inc., PBC
- Award recipients (see attached)

III. SEQUENCE OF EVENTS

11:00 AM: **YOU** arrive

11:15–11:25 AM: **YOU** give welcoming remarks

11:25–11:30 AM: **YOU** take pictures with award winners

11:30 AM: **YOU** leave

IV. PRESS

Closed press.

V. TALKING POINTS/REMARKS

See attached.

VI. ATTACHMENTS

- Draft Remarks
- Award Recipients

DRAFT REMARKS

[Denise Sirmons, Director of EPA's Office of Small and Disadvantaged Business Utilization provides remarks and introduces **YOU.**]

-
- **Ex. 5 - Deliberative Process**
-

TALKING POINTS

-
-
- **Ex. 5 - Deliberative Process**
-
-

(Administrator stands next to the podium to shake hands and take a picture with each award recipient, after OSDBU Deputy Director reads citation.)

*[Joan B. Rogers announces each Administrator's Award winner and presents the award; **YOU** stand on stage and take a quick picture with each recipient. After these awards have been presented Joan will thank you for participating and **YOU** can depart.]*

AWARD RECIPIENTS

Administrator's Award for Outstanding Direct Procurement Program Achievement

Autumn Roe, Edwin (Chip) Poalinelli, and Teree Henderson – (Region 9)

The team partnered with the Bureau of Reclamation (BOR) on Industry Days in Albuquerque and Gallup, NM and attended the 2015 Reservation Economic Summit (RES) conference in Santa Fe, NM. They participated in one-on-one matchmaking at both events and promoted upcoming business opportunities related to EPA's NAUM efforts. Due to the success of the team's outreach at the RES in 2015, Autumn Roe was invited by the conference sponsors as a key speaker and member of a panel discussion held at the 2016 RES conference focusing on helping tribal businesses understand ways to maximize their participation in federal contracts.

Administrator's Award for Outstanding State, Local or Tribal Office Performance Achievement (DBE Program)

Connecticut Department of Energy and Environment Protection

The Connecticut Department of Energy and Environmental Protection (CT DEEP) is being nominated for an Administrator's Award for Outstanding State Performance Achievement for exemplary DBE Program performance, under its Clean Water Fund Program (CWF), during FY2016. The CT CWF receives a significant amount of CT DEEP's EPA financial assistance award dollars. For example, during FY2016 it received \$16,369,000 which was over 50% of CT DEEP's total award dollars. In addition, CT CWF serves as the management focal point of the state's DBE program administration.

Administrator's Award for Outstanding Accomplishments by a SB Contractor

EA Engineering, Science & Technology, Inc., PBC (EA)

EA Engineering, Science & Technology Inc., PBC (EA) is nominated for the Administrator's Award for Outstanding Accomplishment by a SB Contractor. EA has performed superbly on this contract. EA has been evaluated for over 10 consecutive years and received overall scores of Excellent (4) for all evaluation periods. Work evaluated was for technical work to support all areas of the Superfund Remedial Program. The contract currently has 51 active task orders and 145 task orders have been issued over the life of the contract.

Administrator's Award for Outstanding DBE Accomplishments by an EPA employee or Group

The Industry Day Program Team (Berne McFarland, Javier Balli, Curry Jones, Karen Peycke, Henry Thompson and Will LaBombard) - (Region 6)

The above-mentioned individuals from the regional program offices demonstrated their support of the DBE program through their presentation and involvement at the first "Industry Day" hosted at the EPA, Region 6 in Dallas, TX on May 19, 2016. Industry Day was an energetic and interactive one-half day procurement event for small and large businesses to network with each other, as well as learn how to do business with the Agency and Region 6. The event featured a one and half-hour session (Potential

Opportunities) with the Industry Day Program Team and 98 businesses benefitted tremendously from their participation. The Industry Day Program Team actively participated in planning meetings by helping to mold and shape the session to provide the most beneficial information to the participants. The Team provided responses to preliminary questions received prior to the event and stayed after the event to address additional questions from the businesses. The collaborative efforts of the Team were demonstrated through their in-depth power point presentations and although the presentations were different, the Team reflected “One-EPA” to the participants. Each program presentation captivated the attention of the participants. Each shared examples of the variety of goods and services to be acquired to assist in the environmental mission of the Agency for their specific area through purchase orders, contracts, interagency and financial assistance agreements. Each presentation was relevant to the audience and delivered in such a way that the participants kept trying to capture the information via note taking or mobile devices. It was even asked if the presentations would be made available electronically. The programs’ session could have easily exceeded the allotted time but due to a time limitation, it ended too soon for the participants.

Administrator’s Award for Outstanding Accomplishments by an EPA employee or Group in Support of Small Businesses Impacted by EPA Regulations

Region III Small Business Program Team - (Hana Hyland, Sidney Ozer, Tiffany Cooper and Alphonso Pinero)

Region III re-staffed its Small Business Program Manager position in 2015 after a two-year vacancy to increase awareness of the regulated small business community. Region III’s Small Business Program Team demonstrated exemplary leadership working collaboratively with external small business assistance providers to conduct outreach to small businesses and enhance environmental regulation compliance in FY 2016 by engaging with over 1000 small businesses at 12 outreach events. They provide our Regional Management Team with Small Business Program updates on an on-going basis and consistently work to develop new and innovative programs/initiatives targeting the five socio-economic goals. The team, along with several federal acquisition professionals, became charter members of the Philadelphia Federal Executive Board’s (FEB) Mid-Atlantic Acquisition Council (MAAC). As members of the Small Business Sub-Committee, the team educated owners while promoting procurement opportunities for small businesses, small disadvantaged businesses, women-owned businesses, HUB Zone businesses, and service-disabled veteran owned businesses.

Region III’s Small Business Program Team played an instrumental role in devising and implementing an Acquisition Day to help reduce the burdens and impacts on the regulated small business community. This event was well received and had participation from 12 federal agencies and 2,013 1102’s. Another example of the team’s exemplary leadership and small business outreach is highlighted by their support of the Women in Public Policy ChallengeHER half-day training event. This highly successful training opportunity focused on participants of the Women Owned Small Business (WOSB) Set-Aside Program looking to become more effective players in the government contracting arena. Region III hosted the ChallengeHER program and the team provided four educational sessions: What WOSB’s Can Do to Help Create Set-Asides? Working with Federal Buyers, Research and Marketing – Doing Your Homework, and Doing Business with the U.S. EPA. This event successfully brought together 72 WOSB’s and 49 federal contractors to increase awareness of and reduce the burdens regulated small business owners face.



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance: Friday, April 7, 2017

Event Title: 2017 Resource Bank Meeting (40th Annual)

Speech Date: Thursday, May 11, 2017

Is the Above Date Flexible: No

Speech Time & Duration: Robert H. Kriebel Dinner – hosted from 6:30 – 8:30 p.m.
Speech will begin ~ 7:30 p.m. (20 mins. remarks; 20 mins. discussion)

Speaker Requested: Administrator Scott Pruitt

Would You Consider a Surrogate: No (because it is a dinner keynote slot)

Event Location: The Broadmoor
1 Lake Avenue, Colorado Springs, CO, 80906
(719) 634-7711
Broadmoor Hall B

Open Press/Closed Press: Closed

Is Event Webcast/Recorded/Transcribed: Yes (Video Recorded) – with Administrator Pruitt’s permission

Purpose of the Event: The Resource Bank Meeting is The Heritage Foundation’s annual
gathering of about 500 leaders, influencers, and policy experts from
across the conservative movement to talk about powerful ideas,
innovative strategies, and effective marketing.

Speech Topic: Reining in the Regulatory State

Requested Presentation Format: Keynote speech, followed by conversation with the moderator

Dress Code: Business

Speech/Presentation Duration: 20 mins remarks; 20 mins of discussion

Teleprompter Available: Yes, upon request

Microphone / Room Setup: Mic – wireless lav or podium mics both available; room is set with
stage and round tables for the dinner

Event Sponsor: The Heritage Foundation

Relationship to the EPA: none

Event Agenda/Program: The full conference agenda is listed here:
<https://www.rb2017.org/index/agenda>

Honorable Guests Attending: _____

Notable Federal, State or Local INVITED officials include: Gov. Matt Bevin, Rep. Jim Jordan, Rep.



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Appointed or Elected officials attending: _____

Individual Introducing Administrator: Jim DeMint, President, The Heritage Foundation

Person to contact for speechwriting purposes: Bridgett Wagner, VP of External Relations, The Heritage Foundation
Bridgett.wagner@heritage.org
Office: 202-608-6050
Cell: Ex. 6 - Personal Privacy

Person to contact for media purposes: Sarah Mills, Director, Media Relations, The Heritage Foundation
Sarah.mills@heritage.org
Office: 202-608-6051

Origin of Invitation: Ed Meese, Ronald Reagan Distinguished Fellow Emeritus, The Heritage Foundation
Leslie.mcclellan@heritage.org
Office: 202-608-6181 (Leslie McClellan, Asst. to Ed Meese)

Day of Event Point of Contact: Janine Ryan, Director, Events, The Heritage Foundation
Janine.ryan@heritage.org
Office: 202-608-1508
Cell: Ex. 6 - Personal Privacy

Security Contact: Wayne Hoskins, Director of Security at The Broadmoor Resort
Office: (719) 499-4468

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): The Heritage Foundation is a 501(c)(3)

Will there be a presentation of a "gift" to the Administrator? no

If so, what is the US currency value of the gift? n/a

Will a meal be provided, if so what is the US currency value? \$89

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.svdnev@epa.gov).

Event Request Form for Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

To request the Administrator to attend and/or speak at your event, please complete and submit the following form.

Group: Ag America

Name of Event: 2017 Ag America Washington, DC Spring Conference

Date of Event: 4/5/17

Type of Event (banquet, lecture, panel discussion, etc.): Luncheon, followed by afternoon policy and issue discussion sessions, concluding with evening reception and dinner

Role of the Administrator: The Administrator is invited to join the conference at any point during the agenda – we will flex the agenda around his schedule

Approximate time will the Administrator's Remarks Begin (example 9:00 am): Lunch begins at noon, Policy & Issue sessions run from 1:30pm – 4:30pm

Expected length of the Administrator's remarks: 15-20 minutes as appropriate

Will there be Q&A? If so, for how long and who from? Ex: press, attendees: At this point expected to be closed press event. Q&A would come from elected and appointed officials present plus private sector Ag America supporters

Event begins (example 9:00 am): 12pm

Event ends (example 9:00 am): 7:30pm

Event address (please include room name or number if applicable): Lunch and Policy & Issue Session: J.W. Marriott – Washington, Reception & Dinner: Occidental Grill – Washington, DC

Will there be a hold room for the Administrator? (please include room name and/or number): If needed - TBD

Please list the name and title of the individual who will introduce the Administrator: Ryan Quarles, Commissioner, KY Department of Agriculture – Ag America Chairman

Approximate size of the audience. Please also include a brief description of the makeup of the audience (*attorneys, business owners, veterans, students etc.*): 40-50 state government affairs representatives from ag related stakeholders, appointed & elected state commissioners, directors, and secretaries of agriculture, state legislative ag leaders

Please indicate your request for the topic of the Administrator's remarks, if applicable:
Importance of EPA and the Administration's working cooperatively with the states

Please list any special guests, elected officials, or other dignitaries who are invited or are expected to attend: Senator Pat Roberts (KS), Representative Mike Conaway (TX-11), Secretary Bill Northey (IA), Director Ted McKinney (IN), Commissioner Ryan Quarles (KY), Director Jamie Clover Adams (MI), Commissioner Cindy Hyde Smith (MS), Rep. Jonathan Shell (KY State Rep), Rep. James Tipton (KY State Rep), Rep. Bill Pigott (MS State Rep),

Please list any other speakers at this event: TBD

Is this event open to the media?: No

Please list a point of contact for the day of the event, including a cell phone number and e-mail address for the contact: Ben Cannatti 202-297-9121, ben@ouragfuture.com

If applicable, please list the name(s) and contact information of the person(s) who will greet the Administrator upon arrival, including a cell phone number and e-mail address for each contact: Ben Cannatti Ex. 6 - Personal Privacy ben@ouragfuture.com, Tim Barnes Ex. 6 - Personal Privacy tim@ouragfuture.com

Please list any special information or directions, such as ongoing construction, specific points of entry, or parking instructions, about the event or location: TBD

Please list below any other relevant information such as agendas, background information or other relevant information about the event. (*Information may also be attached and submitted with this form.*) Event draft agenda attached

Please include a contact number for the event location: JW Marriott: 202-393-2000, Occidental Grill: 202-783-1475

Please indicate whether this event is held weekly, monthly or annually: Ag America DC
Conferences are held twice a year in Washington, DC

Please indicate the attire for this event (*business, formal, casual, etc.*): Business

Please list any agencies, businesses, schools or universities, or other organizations that may be sponsoring or co-sponsoring this event:

Please provide the security contact if contracted or head of security for event location:
JW Marriott: 202-393-2000, Occidental Grill: 202-783-1475

A handwritten signature in black ink, appearing to be "Daniel", located at the bottom left of the page.



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance: April 4, 2017 for the first round of publicity

Event Title: 4th Annual Faegre Baker Daniels "Energy and Environment Symposium"

Speech Date: Wednesday May 24, 2017

Is the Above Date Flexible: no

Speech Time & Duration: 12:00-1:00 preferred but can accommodate anytime between 10:30-4:00

Speaker Requested: Administrator Scott Pruitt

Would You Consider a Surrogate: yes

Event Location: City Club of Washington
555 13th Street NW
Washington, DC 20004

Open Press/Closed Press: open

Is Event Webcast/Recorded/Transcribed: no

Purpose of the Event: Annual update on new trends and developments

Speech Topic: Priorities of the New EPA Administrator

Requested Presentation Format: Keynote with Q&A

Dress Code: Business

Speech/Presentation Duration: 20-30 minutes; up to 45

Teleprompter Available: no

Microphone / Room Setup: Microphone with spectators around tables

Event Sponsor: Faegre Baker Daniels

Relationship to the EPA: Private law firm (75-125 in attendance)

Event Agenda/Program: 11:00-12:00 – Panel on Legal Trends
12:00-1:00- Keynote – Administrator Pruitt
1:00-2:00 – Panel of Congressional Staff Directors
2:00-3:00 – Invited – Chairman Greg Walden, U.S. Congressman

Honorable Guests Attending: Members of firm, clients, energy and environmental professionals

Notable Federal, State or Local Appointed or Elected officials attending: Congressman Walden invited

Individual Introducing Administrator: Andrew Wheeler, Principal Faegre Baker Daniels



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Person to contact for speechwriting purposes: Andrew Wheeler
Andrew.Wheeler@faegrebd.com
202-312-7424
Cell Ex. 6 - Personal Privacy

Person to contact for media purposes: Marylee Moore
Marylee.Moore@faegrebd.com
202-312-2804
Cell Ex. 6 - Personal Privacy

Origin of Invitation: Andrew Wheeler
See above

Day of Event Point of Contact: Josh Andrews
Josh.Andrews@faegrebd.com
202- 589- 2819
Cell Ex. 6 - Personal Privacy

Security Contact: Josh Andrews
See above

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):

no

Will there be a presentation of a "gift" to the Administrator?

no

If so, what is the US currency value of the gift?

Will a meal be provided, if so what is the US currency value?

yes, less than \$20

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydney@epa.gov).



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance: April 26, 2017

Event Title: Greater Oklahoma City Chamber Annual D.C. Visit

Speech Date: Thursday, May 4, 2017

Is the Above Date Flexible: No

Speech Time & Duration: 9:45 a.m.- 10:30 a.m. (45 minutes)

Speaker Requested: Administrator Scott Pruitt

Would You Consider a Surrogate: No

Event Location: National Press Club, Holeman Lounge
529 14th Street. N.W. 13th floor
202-662-7500
Holeman Lounge

ALL GUESTS MUST HAVE A VALID CODE TO ENTER THE FACILITY.

Simply present this code - either printed or on your mobile device - at the turnstiles located on the 13th floor on the day of our event.



Open Press/Closed Press: Closed Press

Is Event Webcast/Recorded/Transcribed: No

Purpose of the Event: The Greater Oklahoma City Chamber hosts the annual visit to D.C. to strengthen the relationships between Oklahoma City's business leaders and Oklahoma's congressional delegation. The trip also gives us the opportunity to highlight the value we place on Tinker Air Force Base with our military partners.



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Speech Topic: Regulatory Reform, in addition to updates on the energy and agricultural industries. Where does Administrator Pruitt want to take the EPA and how will it impact Oklahoma?

Requested Presentation Format: Presentation from podium with Q&A

Dress Code: Business

Speech/Presentation Duration: 45 minutes total, to include Q&A

Teleprompter Available: No

Microphone / Room Setup: Podium with mic. Attendees will be seated at table rounds.

Event Sponsor: American Fidelity; Burns & McDonnell; The Ace Family of Companies; Manhattan Construction Company

Relationship to the EPA:

Event Agenda/Program:

Greater Oklahoma City Chamber – DC Visit

Agenda

Wednesday, May 3

Noon
Attendees meet in the lobby of The Henley Park Hotel
926 Massachusetts Avenue NW, Washington, D.C. 202-638-5200
Attendees receive name badges and program books.

12:30 p.m.
Travel to Library of Congress
Jefferson Building, Room LJ-119

1-5:30 p.m.
Briefings with Oklahoma congressional delegation
Library of Congress, Jefferson Building, Room LJ-119
30-minute sessions with Senators Jim Inhofe and James Lankford and
Congressmen Jim Bridenstine, Tom Cole, Frank Lucas, Markwayne
Mullin and Steve Russell.

Refreshments will be available during the afternoon meetings.

6-7:30 p.m.
Reception on the Hill
Location: Senate Dirksen Building, SD-106
Senator Jim Inhofe will host a reception for Oklahoma City delegates,
federal and military officials and key staff members of the Oklahoma
congressional delegation.

7:30 p.m. Dinner on your own



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Thursday, May 4

7:45 a.m.

Breakfast

National Press Club, Holeman Lounge 529 14th St. NW, 13th Floor
202-662-7500

8-8:45 a.m.

Military Defense Briefings

Maj. Gen. James Martin, Jr.

Deputy Assistant Secretary for Budget, Office of the Assistant
Secretary of the Air Force for Financial Management and Comptroller
The Pentagon

8:45-9:30 a.m.

Mark Correll

Deputy Assistant Secretary of the Air Force for Environment, Safety
and Infrastructure
U.S. Air Force

9:45-10:30 a.m.

Executive Briefing

Scott Pruitt, Administrator, U.S. Environmental Protection Agency

10:15-11 a.m.

Criminal Justice Reform Briefing

Andrew Page, Project Director, Public Safety Performance Jake
Horowitz, Director of Research and
Policy, Public Safety Performance
The Pew Charitable Trusts

11-11:45 a.m.

The National Political Landscape

Ben Schreckinger, Reporter POLITICO

Noon

Program Concludes/Hotel Checkout

Honorable Guests Attending:

Attending May 2 reception only General Paul J. Selva, Vice Chairman
of the Joint Chiefs of Staff

**Notable Federal, State or Local
Appointed or Elected officials attending:**

Individual Introducing Administrator:

Rhonda Hooper; President and CEO of Jordan Advertising; Chair of
the Greater Oklahoma City Chamber Board of Directors

Person to contact for speechwriting purposes:

LToya Knighten
lknighten@okcchamber.com
405-297-8941



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Ex. 6 - Personal Privacy

Person to contact for media purposes:

Cynthia Reid
creid@okcchamber.com
405-297-8642
[Cell Number]

Origin of Invitation:

Day of Event Point of Contact:

LToya Knighten
lknighten@okcchamber.com
405-297-8941

Ex. 6 - Personal Privacy

Security Contact:

LToya Knighten
lknighten@okcchamber.com
405-297-8941

Ex. 6 - Personal Privacy

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):

Yes, 501C4

Will there be a presentation of a "gift" to the Administrator?

Pen and Power Bank (charger)

If so, what is the US currency value of the gift?

Less than \$10 value

Will a meal be provided, if so what is the US

No

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydnev@epa.gov).

External Meeting Request Form for Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

To request the Administrator to attend and/or speak at your event, please complete and submit the following form.

Today's Date: 3/20/17

Meeting Date: Monday, April 3rd, 2017

Meeting Time: 9:30 am- 11:30 am

Requested Location (if offsite, please list address, parking instructions, etc.): EPA Office

Requestor: Tyler Norvell

Purpose of the Meeting: We are bringing a group of 12 Oklahoma State Agriculture Students to learn about the nation's government. These students are considered the top 12 students in the college of agriculture at Oklahoma State.

Background on the Meeting: Trying to learn more about environmental policy.

Role of the Administrator: Talk to students about the importance of the EPA and his plans as the Administrator.

Attendees:

Students attending:

Garrett Reed
Jessica Webster
Allison Christian
Amy Wolff
Angel Molina
Ben Schulz
Jesse Belvin
John Wald
Kaylee Snow
Laurie Fitch
Luke Werth
Taylor Neilson

Advisors attending:

Kass Pfeiffer

Jerry Fitch

Blayne Arthur

Kent Gardner

Tyler Norvell

John Grunewald

Scott Williams

Point of Contact: Tyler Norvell cell phone

Ex. 6 - Personal Privacy

May 22, 2017

Memorandum

To: Administrator E. Scott Pruitt
From: Aaron Ringel, DAA OCIR
Cc: Troy Lyons, AA OCIR
Ryan Jackson, COS
Re: Congressional Western Caucus Speaking Event on 5/23/2017

PURPOSE: You have been invited to speak before the Congressional Western Caucus during their lunch member meeting at noon on Tuesday, May 23rd.

AGENDA: You will arrive at noon at which point members attendees will grab lunch and Rep. Paul Gosar (R-AZ04), Chairman of the Western Caucus, will give a few updates while you eat. Following the update there will be a brief introduction of all members present at which point Rep. Gosar will provide your introduction and you will have 10-15 minutes to speak. After remarks Rep. Gosar will open the floor and allow members to give one pitch or ask one question. Usually the event turns into more of an informal roundtable discussion. Prior to leaving members will most likely ask to get pictures with you. The event will stick to the one-hour time limit out of respect to everyone's schedules.

BACKGROND ON CONGRESSIONAL WESTERN CAUCUS:

Active for over 20 years, The Western Caucus is one of the largest and longest standing Congressional caucuses. Originally made up of members for Western states, the caucus has expanded to included Members of Congress from all across the country who share the values and vision of a stronger America. The Western Caucus includes a few members from east of the Mississippi and has one Democrat, Oregon's Kurt Schrader.

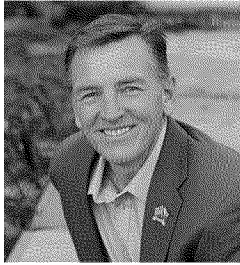
The Congressional Western Caucus is working to advance five basic objectives:

- Principle 1 – (Energy): Promoting access to our nation's energy and mineral resources while supporting a true all-of-the-above energy approach that aims to ensure the U.S. is a global energy leader.
- Principle 2 – (Local Control): Focusing on state and local solutions that put our communities first.
- Principle 3 – (Private Property Rights): Protecting ownership of property is a fundamental right in America.
- Principle 4 – (Multiple-Use): Preserving multiple-use on public lands for activities like camping, hiking, hunting, fishing, OHV use, responsible energy production and grazing.
- Principle 5 – (Agriculture and Forestry): Ensuring affordable and safe domestic food production for American families while also maintaining healthy forests.

These principles are based on the idea that stewardship of our environment and natural resources is best accomplished by those on the ground.

POTENTIAL TOPICS:

- WOTUS - Clean Power Plan
- Methane - EPA RMP rule
- Regional Haze
- Budget and any cuts to EPA



REP. PAUL GOSAR (R-AZ04)

CHAIRMAN, CONGRESSIONAL WESTERN CAUCUS

Paul A. Gosar, D.D.S., is serving his fourth term in Congress as the Representative for Arizona's Fourth Congressional District. First elected in 2010, he came to Congress with no prior political experience. Rep. Gosar serves on the House Committee on Natural Resources and House Committee on Oversight and Government Reform. As chairman of the 69-member Congressional Western Caucus and chairman of the Natural Resources subcommittee on energy and mineral resources, Gosar is a leader in Republican efforts to reduce federal agencies' control over how states in the West use their copper, coal, oil, and other assets.

Before being elected to Congress in 2010, Dr. Gosar owned his own dental practice and was a small businessman in Flagstaff for twenty-five years.



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	<u>April 23, 2017</u>
Event Title:	<u>Congressional Western Caucus Members-Only Meeting</u>
Speech Date:	<u>Tuesday, May 23, 2017</u>
Is the Above Date Flexible:	<u>No</u>
Speech Time & Duration:	<u>12:00pm - 1:00 pm</u>
Speaker Requested:	<u>Administrator Scott Pruitt</u>
Would You Consider a Surrogate:	<u>No</u>
Event Location:	<u>2247 Rayburn House Office Building</u> <u>2247 Rayburn HOB, Washington, DC 20515</u> <u>202-226-8272</u> <u>Rayburn 2247</u>
Open Press/Closed Press:	<u>CLOSED</u>
Is Event Webcast/Recorded/Transcribed:	<u>NO</u>
Purpose of the Event:	<u>This is a monthly member's-only meeting hosted by Congressional Western Caucus Chairman Paul Gosar (AZ-04) where our 70 caucus members are able to get together and hear from our featured speaker of the month.</u> <u>Should Administrator Pruitt be able to attend,</u>
Speech Topic:	<u>EPA's recent activities, updates, changes, and priorities</u>
Requested Presentation Format:	<u>Roundtable luncheon</u>
Dress Code:	<u>Business</u>
Speech/Presentation Duration:	<u>20 minutes</u>
Teleprompter Available:	<u>NO</u>
Microphone / Room Setup:	<u>Hollow square roundtable – microphone available as needed.</u>
Event Sponsor:	<u>Congressional Western Caucus</u>
Relationship to the EPA:	<u>The Western Caucus is comprised of 69 Members of Congress who all have a keen interest in the activities of the EPA and the implications of policy decisions made by the Agency.</u>
Event Agenda/Program:	<u>12:05 p.m. – Chairman Gosar calls member meeting to order</u> <u>12:15 p.m. – Chairman Gosar introduces Administrator Pruitt to deliver remarks on EPA's recent activities, updates, changes, and goals for his time as Administrator</u> <u>12:35 p.m. – Questions from Western Caucus members</u> <u>12:50 p.m. – Photo with Western Caucus members</u>



ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

1:00 p.m. – Meeting adjournment

Honorable Guests Attending: Members of Congress who are also members of the Western Caucus

Notable Federal, State or Local Appointed or Elected officials attending: See attached membership list as possible attendees of event

Individual Introducing Administrator: Chairman of the Congressional Western Caucus Congressman Paul Gosar (AZ04)

Person to contact for speechwriting purposes: [Jeff Small/Executive Director, Congressional Western Caucus]
[Jeff.Small@mail.house.gov]
[202-225-2315]
Ex. 6 - Personal Privacy

Person to contact for media purposes: [Kelly Roberson/Communications Director, Congressional Western Caucus]
[Kelly.roberson@mail.house.gov]
[202-225-2315]
Ex. 6 - Personal Privacy

Origin of Invitation: [Jeff Small/Executive Director, Congressional Western Caucus]
[Jeff.Small@mail.house.gov]
[202-225-2315]
Ex. 6 - Personal Privacy

Day of Event Point of Contact: [Jeff Small/Executive Director, Congressional Western Caucus]
[Jeff.Small@mail.house.gov]
[202-225-2315]
Ex. 6 - Personal Privacy

Security Contact: [Jeff Small/Executive Director, Congressional Western Caucus]
[Jeff.Small@mail.house.gov]
[202-225-2315]
Ex. 6 - Personal Privacy

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): **NO**

Will there be a presentation of a "gift" to the Administrator? **NO**

If so, what is the US currency value of the gift? **N/A**

Will a meal be provided, if so what is the US currency value? **<\$20**

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydnev@epa.gov).

Member	Attending	Notes
Paul Gosar	3	Ex. 6 - Personal Privacy
Abraham, Ralph		
Amodei, Mark (NV-02)		
Babin, Brian (TX-36)	1	
Bacon, Don (NE-02)	1	
Biggs, Andy (AZ-05)		Ex. 6 - Personal Privacy
Bishop, Rob (UT - 01)	1	
Bridenstine, Jim (OK-01)		
Buck, Ken (CO - 04)	1	Ex. 6 - Personal Privacy
Burgess, Michael (TX-26)		
Calvert, Ken (CA-42)	1	Ex. 6 - Personal Privacy
Chaffetz, Jason (UT - 03)	1	
Cheney, Liz (WY-AL)		
Coffman, Mike (CO - 06)	1	
Collins, Doug (GA - 09)		
Conaway, Mike (TX - 11)		
Cook, Paul (CA-08)		
Cramer, Kevin (ND)	1	
Crawford, Rick (AR-01)		
Culberson, John (TX-07)		
Denham, Jeff (CA - 19)	1	
Duncan, Jeff (SC - 03)	1	
Emmer, Tom (MN-06)		
Farenthold, Blake (TX-27)		
Flores, Bill (TX-17)	0	
Franks, Trent (AZ - 02)		
Gohmert, Louie (TX-01)		
Gosar, Paul (AZ - 01)		
Graves, Garret (LA -06)		Ex. 6 - Personal Privacy
Herrera-Beutler, Jaime (WA - 03)		
Hice, Jody (GA-10)	1	
Hunter, Duncan (CA-50)		
Jenkins, Lynn (KS-02)		
Jones, Walter (NC - 03)		
Kelly, Mike (PA-03)		
King, Steve (IA-04)		
Labrador, Raul (ID - 01)	1	
LaMalfa, Doug(CA-01)		
Lamborn, Doug (CO - 05)	1	
Love, Mia (UT - 04)		
Marshall, Roger (KS-01)		
McCarthy, Kevin (CA - 23)		
McClintock, Tom (CA - 24)		
McMorris Rodgers, Cathy (WA - 05)		
McSally, Martha (AZ-02)		Ex. 6 - Personal Privacy
Mooney, Alex (WV-02)	0	

Mullin, Markwayne (OK-02)	
Newhouse, Dan (WA-04)	1
Noem, Kristi (SD At-Large)	
Pearce, Steve (NM - 02)	1
Radewagen, Amua Amata (AS-AL)	1
Reed, Tom (NY-23)	
Ross, Dennis (FL-15)	
Ryan, Paul (WI-01)	
Scalise, Steve (LA-01)	
Schweikert, David (AZ - 06)	1
Sessions, Pete (TX-32)	
Simpson, Mike (ID - 02)	
Smith, Adrian (NE - 03)	
Smith, Jason (MO-08)	1
Smith, Lamar (TX-21)	
Stewart, Chris (UT-02)	1
Thompson, Glenn (PA - 05)	1
Tipton, Scott (CO - 03)	
Valadao, David (CA-21)	
Walden, Greg (OR - 02)	
Walters, Mimi (CA-45)	0
Weber, Randy (TX-14)	1
Westerman, Bruce (AR-04)	
Young, Don (AK-AL)	1

Ex. 6 - Personal Privacy

Total

25



Meeting Request Form for Administrator Scott Pruitt

Today's Date: 3/6/2017

Requesting Office: OA

Title of the Meeting: Introduction and Remarks at the EMC Meeting

Purpose: To allow the Administrator in person introductions at the EMC Meeting.

Role of the Administrator: Introduction and remarks.

Background: Location – Green Room

Last possible date for the meeting April 4th (preferably at 9am, but anytime between 8:30 and 5:00 works)

Is the meeting urgent and if so why?: No

Requested Time Length: 1 hour

EPA Staff (Required): Administrator Pruitt

EPA Staff (Optional):

External Participants: No.

Teleconference Required?: No.

Video Conference Required?: *(If so please provide the conference room name to be used for video connection)*

Point of Contact for the Meeting: Derek Threet – 202-564-1409

NOTE: Meeting request forms should be submitted to scheduling@epa.gov. The AO Special Assistant who covers your office must be copied on the request. All briefing material must be sent to your AO Special Assistant by 3:00 pm the day before your meeting, or to OCIR 48 hours in advance. If briefing materials are not submitted on time, we may need to reschedule your briefing.

From: Morris, Madeline
Location: DCI Group, 1828 L Street NW Suite 400
Importance: Normal
Subject: Speak at American Coalition for Clean Coal Electricity Board Meeting (ACCCE)
Start Date/Time: Thur 6/29/2017 2:00:00 PM
End Date/Time: Thur 6/29/2017 3:00:00 PM
EPA Administrator Pruitt Speaker Request Form (002) copy.docx
RE: ACCCE Board Meeting Request
Board agenda - Final.docx.pdf

POC: Rashid Hallaway rhallaway@hhqventures.com Ex. 6 - Personal Privacy

NOTE: Having Rashid send an updated request since speaking time has been changed

June 29, 2017

BOARD OF DIRECTORS MEETING

Location: DCI, 1828 L Street NW, Suite 400

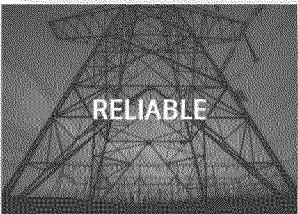


9:45 am

Call to order and welcome

10:00 am

Speaker – Scott Pruitt, EPA Administrator



11:00 am

President's report

Noon

Lunch, governance, and new business

- Approval of Minutes
- Finance Committee Report



1:00 pm

Adjourn



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM U.S. Environmental Protection Agency

Deadline for Acceptance:	<u>Wednesday, June 21, 2017</u>
Requesting Individual / Affiliation:	<u>Paul Bailey, President & CEO</u>
Event Title:	<u>ACCCE Summer Board Meeting</u>
Event Date:	<u>June 29, 2017</u>
Is the Above Date Flexible:	<u>No</u>
Event Time & Duration:	<u>12:20 pm to 1:30 (Speaking engagement is scheduled for 1 hour at 12:30 pm to 1:30 pm)</u>
Type of Event:	<u>Board Meeting</u>
Purpose of the Event:	<u>Board Meeting</u>
Role of the Administrator:	<u>Keynote Speaker</u>
Requested Presentation Topic, if Speaking Involved:	<u>Regulatory reform</u>
Requested Presentation Format:	<u>Keynote Speaker</u>
Speech/Presentation Duration:	<u>45 to 50 minute speech + questions (1 hour)</u>
Would You Consider a Surrogate:	<u>Yes</u>
Event Location:	<u>DCI Group, Inc.</u> <u>1828 L Street NW, Suite 400, Washington, DC 20036</u> <u>202-456-4242</u> <u>4th Floor</u>
Event Audience:	<u>30 to 45 in attendance made up of ACCCE staff, board members, and consultants.</u>
Event Host(s)/Organizer(s):	<u>American Coalition for Clean Coal Electricity (ACCCE)</u>
Host(s)' Relationship to EPA:	<u>N/A</u>



Run of Show/ Agenda:

See agenda below

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
Is there a Hold Room Available for the Administrator? No. Administrator may join the meeting or wait outside of meeting room in the main sitting area.

Open Press/Closed Press?

No press invited

Dress Code:

Business dress

Teleprompter Available:

No

Microphone / Room Setup:

Large board conference table with 25 board members and others lining the room in chairs. Microphones are set up along the center of the conference table.

Honorable Guests Attending:

Board members

Notable Federal, State or Local Appointed or Elected officials attending:

None

Individual Introducing Administrator:

Paul Bailey, President & CEO

Person to contact for media purposes:

Michelle Bloodworth, Chief Operating Officer,
mbloodworth@americaspower.org, Bus. 202-459-4803

Cell Ex. 6 - Personal Privacy

Is this event held Weekly, Monthly, Annually?

Annually

Day of Event Point of Contact:

Michelle Bloodworth, Chief Operating Officer,
mbloodworth@americaspower.org, Bus. 202-459-4803

Cell Ex. 6 - Personal Privacy

Carrie Diamond, Executive Assistant at DCI Group,
cdiamond@dcigroup.com, Bus. 202-777-3716, cell 571-228-5407

Katherine Sigler, AVP Operations & HR at ACCCE,
ksigler@americaspower.org, Bus. 202-459-4808, cell

Ex. 6 - Personal Privacy

Security Contact:

Suggested Entrance/ Exit to Event Venue:

Front Entrance

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):

501(c)(6) Trade Association

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift?

No

Will a meal be provided, if so what is the US currency value?

If desired. Lunch is offered at 12 Noon. US Currency value approx. \$20.00



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM U.S. Environmental Protection Agency

Please return this form completed to scheduling@epa.gov and Sydney Hupp (hupp.sydney@epa.gov).



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

June 29, 2017

ACCCE BOARD OF DIRECTORS
MEETING AGENDA

10:00 am	Call to Order and Welcome
10:15 am	President's Report
11:30 am	Governance
11:45 am	New Business
Noon	Break / Lunch
12:30 pm	Invited Speaker
1:30 pm	Clarity Session
1:45 pm	Adjourn

To: Morris, Madeline[morris.madeline@epa.gov]
From: Fugh, Justina
Sent: Tue 6/20/2017 9:25:05 PM
Subject: RE: ACCCE Board Meeting Request

Hi there,

Welcome to EPA, Maddy! I need to be sure that you and I get to meet so that we can talk about your ethics obligations, including financial disclosure, and also how we in Ethics can work with you on invitations, etc. Is there a time coming up when the Administrator will be away from the office when we can squeeze in some time to talk? The ethics briefing is one hour, but I expect that Sharnett Wills is planning that for you and the other recent additions. We need some separate time to go over scheduling issues (you'll see why when you continue reading).

Ex. 5 - Attorney Client

Best,
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the
zip code) | phone 202-564-1786 | fax 202-564-1772

From: Morris, Madeline
Sent: Tuesday, June 20, 2017 2:24 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: ACCCE Board Meeting Request

Hi Justina,

We originally thought this was a meeting, but it looks like it is a speaking engagement. Do you see a problem with continuing this request? It is time sensitive, sorry for the short notice!

Best,
Maddy

From: Rashid G. Hallaway [<mailto:rhallaway@hhqventures.com>]
Sent: Tuesday, June 20, 2017 2:18 PM
To: Morris, Madeline <morris.madeline@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: ACCCE Board Meeting Request

Hi Maddy,

Thanks for your quick response. Attached is the original request. The Administrator would be speaking to a group of CEOs next Thursday, the 29th, at DCI's office at 18th and L. I know the Administrator has a meeting at the White House around 11am so we discussed moving his remarks to 10am. Bob Murray of Murray Energy will introduce him.

Please feel free to call with any questions - Ex. 6 - Personal Privacy Thanks for your help.

RH

Begin forwarded message:

From: "Rashid G. Hallaway" <rhallaway@hhqventures.com>
Date: June 12, 2017 at 4:17:57 PM EDT
To: "Hupp, Sydney" <hupp.sydney@epa.gov>
Cc: "Dickerson, Aaron" <dickerson.aaron@epa.gov>, "Bennett, Tate"

<Bennett.Tate@epa.gov>

Subject: ACCCE Board Meeting Request

Hi Sydney,

Attached is the form you requested for the ACCCE board meeting. Please note that we are flexible with respect to speaking time.

I believe Mr. Murray (of Murray Energy) would introduce the Administrator since he is the new Chairman of ACCCE. Thank you very much.

RH

From: Hupp, Sydney
Location: Administrator's Office
Importance: Normal
Subject: Time with Lincoln
Start Date/Time: Fri 6/16/2017 7:00:00 PM
End Date/Time: Fri 6/16/2017 7:30:00 PM

From: Hupp, Sydney
Location: 1211 Avenue of the Americas, 12th Floor, New York, NY 10036.
Importance: Normal
Subject: Fox Business, Varney & Co. (Live TV)
Start Date/Time: Tue 6/6/2017 12:45:00 PM
End Date/Time: Tue 6/6/2017 1:00:00 PM

From: Hupp, Sydney
Location: 1211 Avenue of the Americas, New York, NY 10036
Importance: Normal
Subject: The Story with Martha MacCallum, FOX News – Live, In-Studio Interview
Start Date/Time: Mon 6/5/2017 11:15:00 PM
End Date/Time: Tue 6/6/2017 12:00:00 AM

The Story with Martha MacCallum, FOX News – Live, In-Studio Interview

Arrival Time: 7:15 p.m.

Hit Time: 7:40 – 7:47 p.m.

Address: 1211 Avenue of the Americas, New York, NY 10036

Contact: Karrah Kaplan, Karrah.kaplan@FOXNEWS.COM, 646-734-2151

Note: Jenna will meet us in the lobby

Topic: Paris agreement, Sec. of State Tillerson saying today that the president is not “walking away” from climate change – just from what he felt was a bad deal.

<http://www.washingtonexaminer.com/rex-tillerson-trump-not-walking-away-from-climate-change/article/2624938>

From: Hupp, Sydney
Location: 400 North Capitol Street NW, 5th Floor, Washington, D.C. – Fox Studio
Importance: Normal
Subject: Fox News Sunday with Chris Wallace – Live, In-Person Interview
Start Date/Time: Sun 6/4/2017 12:45:00 PM
End Date/Time: Sun 6/4/2017 1:15:00 PM

Arrival Time: 8:45 a.m.

Hit Time: 9:00 – 9:15 a.m.

Address: 400 North Capitol Street NW, 5th Floor, Washington, D.C. – Fox Studio

Contact: Pat Ward (202) 340-2069 cell Ex. 5 - Deliberative Process 24 hour, Patrick.ward@foxnews.com

Note: Other guests on the show: Our second segment will be Al Gore. Panel: Brit Hume, Julie Pace, Jason Riley and Juan Williams.

From: Hupp, Sydney
Location: 400 North Capitol Street NW, Washington, D.C. – Fox Studio
Importance: Normal
Subject: ABC This Week with George Stephanopoulos – Pre-Taped, Remote Interview
Start Date/Time: Sun 6/4/2017 12:30:00 PM
End Date/Time: Sun 6/4/2017 12:40:00 PM

ABC This Week with George Stephanopoulos – Pre-Taped, Remote Interview

Arrival Time: 8:30 a.m.

Hit Time: 8:30 – 8:40 a.m.

Address: 400 North Capitol Street NW, Washington, D.C. – Fox Studio

Contact: Guerin Hays [he will be waiting in the lobby by 8:25 a.m. and take him up to the studio]

Guerin.Hays@FOXNEWS.COM, Cell: Ex. 6 - Personal Privacy

Note: Other guests on the show: Al Gore, Susan Rice, Panel: Jen Psaki, Alex Castellanos, Katrina vanden Heuvel, Jonah Goldberg

From: Hupp, Sydney
Location: Call-In Number: Ex. 6 - Personal Privacy
Importance: Normal
Subject: Interview: Breitbart News Daily with Joel Pollak
Start Date/Time: Mon 6/5/2017 12:45:00 PM
End Date/Time: Mon 6/5/2017 12:55:00 PM
06.05.17 - PatriotRadio Brief.docx

Live On-The-Record Record On SiriusXM Patriot With Breitbart's Senior Editor-at-Large Joel Pollak

Monday, June 5, 2017 at 8:45 AM – 8:55 AM

Call-In Number: 212-607-4063

Location: Administrator Pruitt's Office

Reporter: Joel Pollak

Outlet: On SiriusXM Patriot/Breitbart

Topics: Paris

Call-In Number: Ex. 6 - Personal Privacy



Reporter Biography:

Joel Pollak is a South African-born American political commentator and author. He serves as the senior-editor-at-large for Breitbart News.

Recent Stories:

Jerry Brown: Trump's Paris Climate Change Pullout 'Insane,' 'Deviant Behavior.' "The Paris agreement, which was negotiated in 2015 and signed in 2016, was non-binding and was never submitted to the U.S. Senate by the Obama administration for ratification, meaning it was never the law of the land. However, critics had long argued that it would hurt the U.S. economically by committing to emissions reductions that would hurt domestic energy supplies and raise energy prices, without having any significant positive effect on climate." ([Breitbart](#), 06/02/17)

TOP LINE TALKING POINTS

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Jerry Brown: Trump's Paris Climate Change Pullout 'Insane,' 'Deviant Behavior'

Breitbart

June 2, 107

<http://www.breitbart.com/california/2017/06/02/jerry-brown-trumps-paris-climate-change-pullout-insane-deviant-behavior/>

California Governor Jerry Brown attacked President Donald Trump for withdrawing the U.S. from the Paris Climate Accords on Thursday.

"I would even say, this is an insane move by this president," Brown said on a conference call hosted by the nonprofit World Resources Institute, according to the Los Angeles Times. Brown also predicted that Americans "will not tolerate this kind of deviant behavior from the highest office in the land."

The Paris agreement, which was negotiated in 2015 and signed in 2016, was non-binding and was never submitted to the U.S. Senate by the Obama administration for ratification, meaning it was never the law of the land. However, critics had long argued that it would hurt the U.S. economically by committing to emissions reductions that would hurt domestic energy supplies and raise energy prices, without having any significant positive effect on climate.

But Brown has made climate change his signature issue, and vented his anger on Thursday — so much so that he even used the term "resist" to describe his opposition to Trump's policy, after earlier rejecting the left's use of the word "resistance" as offensive. "Donald Trump has absolutely chosen the wrong course ... California will resist because his effort is misguided," Brown told the conference call Thursday, according to the Sacramento Bee.

Ironically, that same day, the Democrat-controlled State Assembly rejected a bill that would extend the state's controversial cap-and-trade program. Five Democrats pulled their support at the last minute, according to the San Jose Mercury News. The bill will reportedly be reconsidered.

On Friday, Brown heads to China to strengthen "progressive" ties — flying, of course, with an entourage and producing plenty of greenhouse gases along the way.

Meanwhile, California has joined New York and Washington state in a new "U.S. Climate Alliance" that intends to obey the Paris agreement, even without national participation. "The three-state coalition aims to reduce emissions 26-28 percent from 2005 levels, meet or exceed the targets of the federal Clean Power Plan and serve as a forum to sustain existing climate programs and share best practices," according to Southern California Public Radio.

Gov. Brown argued that “California’s economy and America’s economy are boosted by following the Paris agreement,” according to Bay Area public radio station KQED — although high energy costs have been driving businesses out of the state, and businesses that have benefited from climate change policies have tended to be subsidized by the government. One such is Tesla, run by Elon Musk, who announced Thursday that he would be withdrawing from a presidential advisory council in response to Trump’s decision to pull out of Paris.

San Diego Mayor Kevin Faulconer, a Republican — and possible candidate for governor — reacted to the Trump administration’s decision by committing his city to continue its efforts to fight climate change, though he did not explain what appreciable or measurable impact San Diego’s efforts were expected to have on the global climate.

The Hollywood Reporter resorted to racism in its attack on Trump’s decision: “It’s become a depressingly regular occurrence to see a bunch of middle-aged white men in the Rose Garden celebrating yet another way to destroy years of scientific or social progress.

In his conclusion, the Reporter’s Frank Scheck added: “Ever the narcissist, [President Trump] simply can’t bear the thought of anyone still living on the planet after he’s gone.

From: Hupp, Sydney
Importance: Normal
Subject: Brian Kilmeade Radio Interview
Start Date/Time: Fri 5/19/2017 1:00:00 PM
End Date/Time: Fri 5/19/2017 1:20:00 PM
2017-05-19 Kilmeade Radio Brief.docx

Radio Interview with Brian Kilmeade for FOX News Radio
Friday, May 19, 2017 at 9:06 a.m.

Location: Administrator Pruitt's Office, Dial in: **Ex. 6 - Personal Privacy**
Reporter: Brian Kilmeade
Outlet: Fox News Radio
Topics: G7, Paris Agreement

Must-Airs:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Hupp, Sydney
Location: Administrator's Office
Importance: Normal
Subject: Meeting with New York Times' Coral Davenport
Start Date/Time: Thur 5/18/2017 6:45:00 PM
End Date/Time: Thur 5/18/2017 7:15:00 PM
05.18.17 - Davenport Brief v2.docx

Topic: Federalism, employee morale, suing the EPA and the legal task ahead, Paris, organizational breakdown of the NYT

Location: Administrator's Office

Staffing: Amy

Attendees: Coral Davenport

POC: Jahan and Amy

Off-The-Record Coffee with the New York Times' Coral Davenport
Thursday, May 18, 2017 at 2:45 PM – 3:15 PM

Location: Administrator Pruitt's Office

Reporter: Coral Davenport

Outlet: The New York Times

Topics: Federalism, employee morale, suing the EPA and the legal task ahead, Paris, organizational breakdown of the NYT



Reporter Biography:

Coral Davenport covers energy and climate change policy at The New York Times. She is regarded as an environmentalist, but also a tough and fair reporter who thinks one of President Trump's best cabinet picks was Scott Pruitt for the EPA. She has written for National Journal, Politico, and Congressional Quarterly. Davenport was a fellow with the Metcalf Institute for Marine and Environmental Reporting.

Recent Stories:

Trump Administration Delays Decision on Leaving Climate Pact. "Also pushing hard for the president to exit the deal is Scott Pruitt, the Environmental Protection Agency administrator, who will be responsible for carrying out Mr. Trump's climate change agenda, particularly his rollback of President Barack Obama's ambitious emissions regulations. ... Mr. Pruitt has warned that remaining in the Paris deal would create a major legal obstacle to his efforts to dismantle the Obama climate change regulations, since an opponent could argue that the United States is obligated to keep the regulations in place to meet the terms of the pact." ([The New York Times](#), 05/09/17)

E.P.A. Dismisses Members of Major Scientific Review Board. "The Environmental Protection Agency has dismissed at least five members of a major scientific review board, the latest signal of what critics call a campaign by the Trump administration to shrink the agency's regulatory reach by reducing the role of academic research. A spokesman for the E.P.A. administrator, Scott Pruitt, said he would consider replacing the academic scientists with representatives from industries whose pollution the agency is supposed to regulate, as part of the wide net it plans to cast. "The administrator believes we should have people on this board who understand the impact of regulations on the regulated community," said the spokesman, J. P. Freire." ([The New York Times](#), 05/07/17)

Scott Pruitt Is Seen Cutting the E.P.A. With a Scalpel, Not a Cleaver. "Mr. Pruitt, a lawyer who made a career suing the E.P.A., is not likely to start with the kind of shock and awe that Mr. Trump has used to disorient Washington. Instead, he will use the legal tools at his disposal to pare back the agency's reach and power, and trim its budget selectively." ([New York Times](#), 02/05/17)

Recent Podcast:

'The Daily': The Climate Change Battle Through One Coal Miner's Eyes. "To

Republicans, he's a hero. To Democrats, he's one of the biggest threats in the Trump administration. Scott Pruitt, the chief of the Environmental Protection Agency, is a man who confounds both sides." ([New York Times](#), 03/30/17)

FIRST 100 DAYS:

- EPA was the poster child for regulatory overreach in the Obama Administration.
- North Dakota is one of the top energy producing states in the country and the EPA is at the forefront of President Trump's vision to rollback regulations, save American jobs and promote economic growth.
- Since being sworn in, I have spearheaded over 22 significant regulatory reform actions.

ENERGY INDEPENDENCE EXECUTIVE ORDER

- Following the President's Energy Independence EO, I signed four notices to review and, if appropriate, to revise or rescind major, economically significant, burdensome rules the last Administration issued.
- This includes the so-called Clean Power Plan that threatens 400,000 U.S. jobs.

TOP JOB NUMBERS:

- Jobs: Over 1.4 million jobs threatened by the actions of the old administration.
- Overall Regulatory Impact: \$204 billion from the old EPA's regulatory actions.
- Clean Power Plan: 400,000 jobs threatened.
- CAFE standards: 1.1 million jobs
- ELG Rule: 100 jobs saved at a chemical processing plant in Florida.

EXAMPLES:

- **ELG** – Costs about \$480 million annually, \$1.2 billion per year in the first five years.
- **Hard Rock Mining** – Could cost American businesses \$171 million annually.
- **CCR rule** – Costs power plants between \$500 and \$745 million – per year.
- **CAFE** – 1.1 million jobs, \$200 billion by 2025 to comply.
- **WOTUS** – Between \$600 million and \$1.2 billion.
- **Methane ICR** – Compliance costs exceeding \$42 million.
- **RMP Rule** – Costs about \$131.8 million annually, \$1.3 billion over ten years.

OBAMA EPA:

- When it comes to protecting our water, Flint is why Obama's EPA let us down.
- When it comes to closing down contaminated Superfund sites, we inherited over 1,300 sites; the Obama Administration only cleaned up a handful.
- When it comes to commonsense regulations, the Clean Power Plan and Waters of the United States rule is why Obama's EPA let us down.
- Obama's own administration said they dropped the ball at Gold King Mine. The

release resulted in three million gallons of water with acid mine drainage containing heavy metals like arsenic, cadmium, lead, and mercury spilling into the river and turning it yellow.

EPA SUCCESSES: NEW LEADERSHIP IS HERE

- What environmental successes can the last administration point to?
 - Look at the water problems in Flint, Michigan. Look at East Chicago. The past administration doesn't have much to point to.
- What are we doing? **Getting back to the core, back to the basics.** Let's focus on air attainment, improving the quality of air for our citizens. Let's invest in water infrastructure; actually make cleaning up Superfunds a priority.
- The environmentalists on the left are saying that we are creating an absence of regulation. That isn't true.

Trump Administration Delays Decision on Leaving Climate Pact

The New York Times

May 9, 2017

<https://www.nytimes.com/2017/05/09/us/politics/trump-climate-pac>

With top presidential aides stubbornly divided, the White House abruptly announced on Tuesday that President Trump would make no decision on the United States' future in the Paris climate change accord until June, after he returns from a meeting of the Group of 7 Western powers.

The announcement by the White House press secretary, Sean Spicer, encouraged advocates of the landmark climate pact, who hope that Mr. Trump's fellow heads of state can pressure the president to remain in the accord, first at a NATO summit meeting in Brussels next week and then at the G-7 meeting in Taormina, Italy. Similar pressure was brought to bear by the leaders of Mexico and Canada when Mr. Trump threatened to withdraw from the North American Free Trade Agreement — then reversed course.

As Mr. Trump embarks on his first foreign trip since assuming office, heads of state are expected to point out to him that withdrawing from the deal is likely to affect his standing and credibility on the world stage as he seeks to press other elements of his foreign policy agenda, such as trade and military efforts to suppress the Islamic State.

"All the European governments hope that President Trump will stay in the Paris Agreement, and the G-7 can be the moment where he can measure the diplomatic cost of the pulling out," said Laurence Tubiana, the lead French climate negotiator of the 2015 accord. "It will be a fantastic opportunity to make that case."

The push has started. On Monday, when Mr. Trump called President-elect Emmanuel Macron of France to congratulate him on his victory, Mr. Macron told the president that enforcing and strengthening the Paris accord would be a top priority for him. Chancellor Angela Merkel of Germany and Prime Minister Justin Trudeau of Canada have told Mr. Trump that they value upholding the Paris deal, and Ms. Tubiana and other climate diplomats say they expect that other G-7 leaders will telephone Mr. Trump to convey the same message before convening in Italy.

"Other world leaders are likely to press on the president not only the importance they place on climate change but also the impact that pulling out will have on the president's other foreign policy priorities," said Nigel Purvis, a climate negotiator in the Clinton and Bush administrations. "And I think that will make an impression."

Opponents of remaining in the Paris pact, including the heads of conservative advocacy groups with close ties to the Trump administration, agreed that the delay could give the pact's supporters an edge.

"I think the remain camp sees delay to their advantage," wrote Thomas J. Pyle, an adviser to the Trump transition and the president of the Institute for Energy Research, a group that promotes fossil fuels and opposes most climate change policy. "It also invites a sustained campaign by the greens, media, industry to exert additional resources and pressure. They have more resources to bring to bear."

Mr. Trump's senior advisers have been locked in an impasse for weeks over whether or how to follow through on their boss's campaign pledge to pull the United States from the 195-nation accord, which was legally ratified last year.

Urging the president to remain in the deal are the president's daughter and son-in-law, Ivanka Trump and Jared Kushner, who have proved to be among the president's most influential advisers. Ms. Trump has tried to give the administration some green credentials by meeting with climate activists such as former Vice President Al Gore and the movie star Leonardo DiCaprio.

What you need to know to start your day, delivered to your inbox Monday through Friday.

Secretary of State Rex W. Tillerson also favors remaining. Mr. Tillerson, the former Exxon Mobil chief executive, led the oil and gas giant when the accord was struck, and said even then that he favored it. As the nation's chief diplomat, he would have to absorb the world's displeasure if the United States exited the deal.

On the other side of the divide is the president's senior strategist, Stephen K. Bannon, who sees withdrawing from the global warming pact as the fulfillment of a key campaign promise. Most of the president's other senior advisers concur with Mr. Bannon, according to four people with direct knowledge of the discussions.

Also pushing hard for the president to exit the deal is Scott Pruitt, the Environmental Protection Agency administrator, who will be responsible for carrying out Mr. Trump's climate change agenda, particularly his rollback of President Barack Obama's ambitious emissions regulations.

Under the Paris agreement, every nation has formally submitted plans to lower planet-warming pollution. The Obama administration pledged that the United States would reduce its carbon pollution about 26 percent from 2005 levels by 2025. However, that pledge depends on enactment of Mr. Obama's E.P.A. regulations on coal-fired power plants, which Mr. Trump and Mr. Pruitt plan to

substantially weaken or eliminate.

Mr. Pruitt has warned that remaining in the Paris deal would create a major legal obstacle to his efforts to dismantle the Obama climate change regulations, since an opponent could argue that the United States is obligated to keep the regulations in place to meet the terms of the pact.

On Monday, a coalition of about 40 conservative advocacy groups, some of which directly advised the Trump campaign and transition, signed a letter to Mr. Trump supporting Mr. Pruitt's view. Many of the signers have a history of denying the established science of climate change and lobbying against climate change policy, such as the Heartland Institute, Americans for Tax Reform and the Heritage Foundation.

"Failing to withdraw from Paris exposes key parts of your deregulatory agenda to unnecessary legal risk," they wrote.

But under the Paris deal, those numerical targets are not legally binding, and there are no sanctions for failing to meet them. The primary legal requirements of the deal are that countries put forth their emissions reductions targets, and later release reports verifying how they are meeting the targets. The Trump administration could stay in the deal and submit a less ambitious target that could be reached without new policies as the United States transitions to a cleaner economy.

Officials close to Mr. Trump say the president understands that remaining in the pact could give him leverage in other discussions with countries adhering to it. Abandoning it could shred the political capital he is trying to build globally.

Meanwhile, Mr. Obama made a pitch on Monday to remain in the deal. Speaking at a conference in Milan focused on climate change and sustainable food development, Mr. Obama said the United States should not "sit on the sidelines" of the Paris Agreement.

"During the course of my presidency, I made climate change a top priority because I believe that of all the challenges that we face, this is the one that will define the contours of this century, more dramatically perhaps than any other," he said.

E.P.A. Dismisses Members of Major Scientific Review Board

May 17, 2017

<https://www.nytimes.com/2017/05/07/us/politics/epa->

The Environmental Protection Agency has dismissed at least five members of a major scientific review board, the latest signal of what critics call a campaign by the Trump administration to shrink the agency's regulatory reach by reducing the role of academic research.

A spokesman for the E.P.A. administrator, Scott Pruitt, said he would consider replacing the academic scientists with representatives from industries whose pollution the agency is supposed to regulate, as part of the wide net it plans to cast. "The administrator believes we should have people on this board who understand the impact of regulations on the regulated community," said the spokesman, J. P. Freire.

The dismissals on Friday came about six weeks after the House passed a bill aimed at changing the composition of another E.P.A. scientific review board to include more representation from the corporate world.

President Trump has directed Mr. Pruitt to radically remake the E.P.A., pushing for deep cuts in its budget — including a 40 percent reduction for its main scientific branch — and instructing him to roll back major Obama-era regulations on climate change and clean water protection. In recent weeks, the agency has removed some scientific data on climate change from its websites, and Mr. Pruitt has publicly questioned the established science of human-caused climate change.

In his first outings as E.P.A. administrator, Mr. Pruitt has made a point of visiting coal mines and pledging that his agency will seek to restore that industry, even though many members of both of the E.P.A.'s scientific advisory boards have historically recommended stringent constraints on coal pollution to combat climate change.

Mr. Freire said the agency wanted "to take as inclusive an approach to regulation as possible."

"We want to expand the pool of applicants" for the scientific board, he said, "to as broad a range as possible, to include universities that aren't typically represented and issues that aren't typically represented."

Some who opposed the dismissals denounced them as part of a broader push by the E.P.A. to downgrade science and elevate business interests.

"This is completely part of a multifaceted effort to get science out of the way of a deregulation agenda," said Ken Kimmell, the president of the Union of Concerned Scientists. "What seems to be premature removals of members of this Board of

Science Counselors when the board has come out in favor of the E.P.A. strengthening its climate science, plus the severe cuts to research and development — you have to see all these things as interconnected.”

The scientists dismissed from the 18-member Board of Scientific Counselors received emails from an agency official informing them that their three-year terms had expired and would not be renewed. That was contrary, the scientists said, to what they had been told by officials at the agency in January, just before Mr. Trump’s inauguration.

“Most of us on the council are academic people,” said Ponisseril Somasundaran, a chemist at Columbia University who focuses on managing hazardous waste. “I think they want to bring in business and industry people.”

Courtney Flint, a professor of natural resource sociology at Utah State University who has served on the board since 2014, said she was surprised by the dismissal.

“I believe this is political,” said Dr. Flint, whose research focuses on how communities respond to major disruptions in the environment, such as exposure to toxic pollution, forest fires and climate change. “It’s unexpected. It’s a red flag.”

Another of the dismissed scientists made his grievances public. “Today, I was Trumped,” Robert Richardson, an environmental economist at Michigan State University, wrote on Twitter. “I have had the pleasure of serving on the EPA Board of Scientific Counselors, and my appointment was terminated today.”

The board is charged with reviewing and evaluating the research conducted by the agency’s scientists. Those studies are used by government regulators to draft rules and restrictions on everything from hazardous waste dumped in water to the emissions of carbon dioxide that contribute to climate change.

Members of the board say they have reviewed the E.P.A.’s scientific research on the public health impact of leaking underground fuel tanks, the toxicity of the chemicals used to clean up oil spills, and the effects of the spread of bark beetles caused by a warming climate.

A larger, corresponding panel, the 47-member Science Advisory Board, advises the agency on what areas it should conduct research in and evaluates the scientific integrity of some of its regulations.

Both boards, which until now have been composed almost entirely of academic research scientists, have long been targets of political attacks. Congressional Republicans and industry groups have sought to either change their composition or weaken their influence on the environmental regulatory process.

Representative Lamar Smith, the Texas Republican who is the chairman of the House Committee on Science, Space and Technology, wrote the House-passed bill intended to restock the Science Advisory Board with more members from the business world.

“In recent years, S.A.B. experts have become nothing more than rubber stamps who approve all of the E.P.A.’s regulations,” Mr. Smith said at a House hearing in February. “The E.P.A. routinely stacks this board with friendly scientists who receive millions of dollars in grants from the federal government. The conflict of interest here is clear.”

As a witness, Mr. Smith brought in Kimberly White, senior director of chemical products and technology at the American Chemistry Council, which lobbies for chemical corporations and, like other industry groups, has pushed for more representation on the E.P.A.’s science boards.

“We have also seen situations where peer reviewers have suggested discounting a study solely based on the funding source, without any considerations being given to the quality of the study,” Ms. White said. “Also, E.P.A. staff often comment throughout peer review meetings, essentially participating as peers, while industry experts are typically excluded from the dialogue.”

Several members of the Scientific Advisory Board contacted by The New York Times said that they had not received dismissal notices, but that they were aware their board was a political target.

“I see the dismissal of the scientists from the Board of Scientific Counselors as a test balloon,” said Joseph Arvai, an environmental scientist at the University of Michigan who is on the Scientific Advisory Board. “This is clearly very political, and we should be very concerned if it goes further.”

Scott Pruitt Is Seen Cutting the E.P.A. With a Scalpel, Not a Cleaver

The New York Times

February 9, 2017

<https://www.nytimes.com/2017/02/05/us/politics/scott-pruitt->

Scott Pruitt, President Trump's pick to run the Environmental Protection Agency, is drawing up plans to move forward on the president's campaign promise to "get rid of" the agency he hopes to head. He has a blueprint to repeal climate change rules, cut staffing levels, close regional offices and permanently weaken the agency's regulatory authority.

But Mr. Pruitt, a lawyer who made a career suing the E.P.A., is not likely to start with the kind of shock and awe that Mr. Trump has used to disorient Washington. Instead, he will use the legal tools at his disposal to pare back the agency's reach and power, and trim its budget selectively.

"Here's my impression about Pruitt: I don't think he's going in there to blow up the agency," said Jeffrey Holmstead, a senior E.P.A. official during the George W. Bush administration who has been mentioned as a possible deputy to Mr. Pruitt, and who has joined forces with him on lawsuits against the agency. "I think he'll be very careful to make sure they've done everything legally to cross all the t's and dot all the i's."

With a zeal that has shocked or thrilled much of the country, Mr. Trump has been making good on campaign promises that once seemed outlandish, and those pledges included a vow to dismantle the agency charged with protecting the nation's air, water and public health "in almost every form."

Myron Ebell, an internationally prominent climate-change denier who led Mr. Trump's E.P.A. transition team, has recommended that the new administration slash the E.P.A.'s staff by two-thirds, to 5,000 from about 15,000. And the president has promised to "eliminate" former President Barack Obama's major environmental regulations, including a global warming rule that was one of Mr. Obama's proudest achievements and another major regulation to curb pollution in lakes, streams and rivers.

"Environmental protection, what they do is a disgrace," Mr. Trump said after the election. "Every week they come out with new regulations."

But in Mr. Pruitt, who is expected to be confirmed by the Senate this week, the president has tapped a surgeon, not a butcher, to fulfill those pledges. As much as anyone, Mr. Pruitt knows the legal intricacies of environmental regulation — and deregulation. As Oklahoma's attorney general for the last six years, he has led or taken part in 14 lawsuits against the E.P.A.

His changes may not have the dramatic flair favored by Mr. Trump, but they

could weaken the agency's authority even long after Mr. Trump has left office.

"The point here will be, more than in any prior administration, to reduce the agency's effectiveness so much that it can't recover even when the political winds change," said David Doniger, an E.P.A. lawyer in the Clinton administration who now works for the Natural Resources Defense Council, an advocacy group.

The problem with many of Mr. Trump's promises for the environmental agency is that they cannot be met quickly without violating the law.

Mr. Trump is expected to sign an executive action announcing the repeal of Mr. Obama's ambitious but contentious regulations on planet-warming carbon dioxide pollution soon after Mr. Pruitt is confirmed. But legally, it will be impossible for Mr. Trump, or Mr. Pruitt, to do that with the stroke of a pen. A completed regulation must go through the same arduous process to be reversed.

Even if he could kill the Obama-era Clean Power Plan outright, he would not eliminate a legal requirement for the E.P.A. to continue regulating greenhouse gas emissions. A repeal would simply force the Trump administration to write its own climate rule.

Mr. Pruitt's allies and advisers say that he is aware of the gap between Mr. Trump's demands and the requirements of the law, and that he is carefully plotting out a course to go after the E.P.A. with a scalpel rather than a meat cleaver.

Mr. Pruitt has not spoken to the news media since Mr. Trump nominated him in December. However, in his answers to senators during a January confirmation hearing, and in his written answers to over 1,000 follow-up questions, Mr. Pruitt made clear that while he is no fan of federal environmental regulations, he does intend to hew to the laws that require them.

"If confirmed, I will implement the laws that E.P.A. is charged to administer," he wrote to Senator Thomas Carper of Delaware, the senior Democrat on the Senate Environment and Public Works Committee.

Among those laws, Mr. Pruitt said in his answers, is the Clean Air Act provision requiring that the E.P.A. regulate the carbon dioxide pollution that warms the planet.

"I believe the administrator has an important role when it comes to the regulation of carbon dioxide," he wrote.

That indicates that if Mr. Trump repeals the Obama climate change rule, Mr. Pruitt is prepared to write a new Trump climate rule — but one that is far less environmentally aggressive and far friendlier to industry.

In 2014, as he prepared to sue the Obama administration over the climate change rules, Mr. Pruitt wrote a draft of what such a rule might look like, noting, "An anti-carbon agenda should not be forced upon the public through executive or administrative fiat."

The Obama climate plan is aimed at transforming the nation's electric power system, driving it away from fossil fuels to renewable sources of energy. It would most likely close most of the nation's approximately 600 coal-fired power plants and replace them with wind and solar facilities, aiming to cut 2005 levels of greenhouse gas pollution nearly a third by 2030.

Mr. Pruitt's draft climate rule is designed to leave most coal-fired power plants open, but require them to install energy-efficient technology to slightly lower their emissions.

"A rule like that might satisfy the letter of the law," said Richard J. Lazarus, a professor of environmental law at Harvard, "and would probably cut emissions less than a quarter of the Obama rule."

If the Pruitt-authored climate change rule withstood legal challenges, it could stand for decades, allowing the fossil fuel industry to thrive and planet-warming emissions to increase.

That approach would most likely be carried out throughout the E.P.A. under Mr. Pruitt's guidance. For example, Mr. Trump wants to repeal the Obama water regulation, known as the Waters of the United States rule, which would make it a federal crime to pollute in most rivers, streams and wetlands across the country. Simply repealing that rule would create a thicket of new legal challenges, but Mr. Pruitt could replace it with water regulations that were more limited in scope.

Mr. Trump's campaign calls to "get rid of" the E.P.A. in almost every form will probably run up against its own legal challenges, as will Mr. Ebell's call to slash the E.P.A.'s staff. Experts say Mr. Pruitt is unlikely to follow through with such draconian cuts, since the E.P.A. is required to execute and enforce many laws, rules and programs, which requires staff members.

"You have to have enough people there to carry out the obligations that are required by law," Mr. Holmstead said. "If you get an order from a judge and you violate it, then someone's going to jail."

Mr. Holmstead noted that if Mr. Pruitt successfully wrote his own new, more industry-friendly regulations, he would need a full staff of lawyers as well.

Congress will also have a say. For years, House Republicans sought to weaken and dismantle Mr. Obama's environmental rules, by proposing major budget cuts

to the E.P.A. Some of those bills, which went nowhere, envisioned cuts to the E.P.A. of nearly 30 percent.

And those past bills offer a road map for the current Congress, said Representative Ken Calvert, the California Republican who is the chairman of the House spending panel that controls the E.P.A.'s budget. Last year, that panel proposed funding the E.P.A. at \$8 billion, cutting just \$291 million from Mr. Obama's request. And it froze staffing at the current levels of about 15,000, far from the 5,000 proposed by Mr. Ebell.

Mr. Calvert said he did not anticipate cutting the E.P.A.'s popular state grant programs, which fund projects like converting abandoned brownfields into sports stadiums and other public facilities.

While keeping those programs and the many E.P.A. offices required by law, Mr. Calvert's budget would trim the E.P.A.'s resources for regulatory enforcement by about 6 percent.

Many of those cuts are likely to come from the E.P.A.'s state and regional offices, where employees are charged with overseeing and enforcing federal rules. Such cuts would line up with Mr. Pruitt's preferred approach of regulation as well — getting federal officials off the backs of states.

"Most states already have their own environmental programs," Mr. Calvert said. "We're going to have to take a look at that, and start running things more efficiently."

vWednesday, May 17, 2017

Live In-Studio Interview on FOX Business's *Varney & Company* (New York)

Arrival Time: 9:00 a.m.

Hit Time: 9:15 a.m. – 5 minute segment

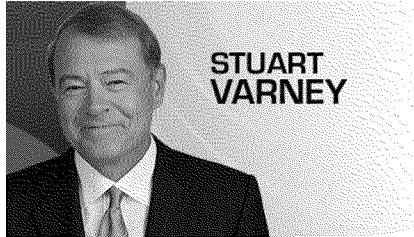
Address: 1211 Avenue of the Americas, New York, NY 10036 – 1st floor

Hosts: Stuart Varney

Topics: New direction of the EPA, helping communities that were poorly served by the last admin

Contact: Jennie Lubart, W - (212) 301 5715 C – Ex. 6 - Personal Privacy Jennie.Lubart@foxbusiness.com

Host Bio:



Stuart Varney joined FOX Business Network as an anchor in 2007 and is the host of *Varney & Company*. Varney also serves as a business contributor and substitute host for FOX News Channel's (FNC) "Your World with Neil Cavuto." A graduate of the London School of Economics, Varney began his journalism career as business anchor for KEMO-TV in San Francisco.

Suggested Talking Points:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Hupp, Sydney
Importance: Normal
Subject: Meeting with WSJ Editorial Board
Start Date/Time: Wed 5/17/2017 12:00:00 PM
End Date/Time: Wed 5/17/2017 1:00:00 PM
WSJ Brief 5-16-17.docx

Wednesday, May 17, 2017
WSJ Editorial Board (New York)

Arrival Time: 7:50 a.m.

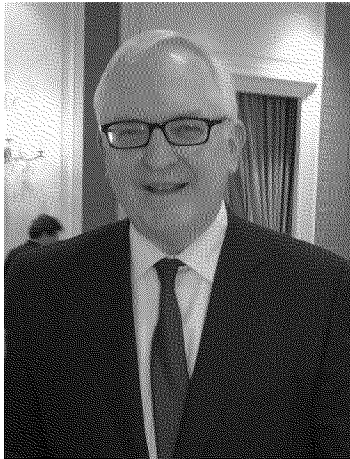
Meeting Time: 8:00 a.m.

Address: 1211 Avenue of the Americas, New York, NY 10036

Hosts: Paul Gigot, Mary Kissel, Allysia Finley

Topics: New direction of the EPA, helping communities that were poorly served by the last admin

Contact: Kathy Oppenheimer, 212 416 4236.



Paul Gigot:

Paul Gigot is the editorial page editor and vice president of The Wall Street Journal, a position he has held since 2001. He was born in San Antonio and moved to Green Bay not long afterwards. He is Roman Catholic and graduated summa cum laude from Dartmouth College in 1977. He is responsible for the newspaper's editorials, op-ed articles and Leisure & Arts criticism and directs the editorial pages of the Journal's Asian and European editions and the OpinionJournal.com Web site. He is also the host of the weekly half-hour news program, the Journal Editorial Report, on the Fox News Channel. He has won a Pulitzer.



Mary Kissel:

Mary Kissel is an Editorial Board Member of The Wall Street Journal, specializing in foreign policy and the promotion of free societies. Kissel was born in south Florida. She received a bachelor's degree in government from Harvard University and a Master's Degree in international affairs from Johns Hopkins University. From 1999 to 2002, she worked as a fixed income research and capital markets specialist at Goldman Sachs, an investment bank in London and New York City. She joined The Wall Street Journal Asia in Hong Kong in 2004 as writer of the Money & Investing section's Heard in Asia column. Later, she served as an Asia-wide finance correspondent. From 2005 to 2010, she was editorial page editor of The Wall Street Journal Asia. She writes predominantly on the human rights and politics of Asia, in addition to American economic issues. She was a Claremont Institute Lincoln Fellow and a Stanford University Hoover Institution Edwards Media Fellow. She contributes to the Journal's opinion pages, hosts WSJ Video's "Opinion Journal" show, and co-hosts "Foreign Edition," the Journal's foreign-policy podcast.



Allysia Finley:

Allysia Finley is an assistant editor of OpinionJournal.com and producer of the editorial page's Opinion Journal Live online video show. She also writes editorials and contributes to the Journal's e-mailed newsletter, Political Diary.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

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Ex. 5 - Deliberative Process

Statements by Cabinet and National Security Team who were Present at the Meeting

Secretary of State **Rex W. Tillerson:**

"During President Trump's meeting with Foreign Minister Lavrov a broad range of subjects were discussed among which were common efforts and threats regarding counter-terrorism. During that exchange the nature of specific threats were discussed, but they did not discuss sources, methods or military operations."

National Security Advisor **H.R. McMaster:**

"The president and the foreign minister reviewed common threats from terrorist organizations to include threats to aviation. At no time were any intelligence sources or methods discussed and no military operations were disclosed that were not already known publicly."

Deputy National Security Advisor for Strategy **Dina Powell:**

"This story is false. The president only discussed the common threats that both countries faced.

To: Republican National Committee[ecampaign@gop.com]; Foundation The Obama[reply@obama.org]; Corcoran Richard[richard.corcoran@myfloridahouse.gov]; Pruitt, Scott[Pruitt.Scott@epa.gov]; Republican Party Of Fla.[rpofdigital@rpof.org]; Florida House Of Rep.[PublicInfo@myfloridahouse.gov]; Rep.Frankel@opencongress.org[Rep.Frankel@opencongress.org]; Guardian The[reply-fece167175650d79-1493_HTML-21035696-1059028-0@mail.theguardian.com]; Rep.Alceehastings@opencongress.org[Rep.Alceehastings@opencongress.org]; BullSugar Bullsugar.org[info@bullsugar.org]; Ryan Gayle[Camelottechpet@gmail.com]; Conservatives[email@conservativeintel.com]; contact@marcorubio.com[contact@marcorubio.com]; Gilmore Dennis, Connie[dennygilmore@hotmail.com]; Jackson, Al[ajackson@ka-arch.com]; Powell Jacquelyn[jacquelyn.powell@wptv.com]; Cruz Janet[janet.cruz@myfloridahouse.gov]; jackie.toledo@myfloridahouse.gov[jackie.toledo@myfloridahouse.gov]; jason.geary@theledger.com[jason.geary@theledger.com]

From: Robert Puglisi

Sent: Thur 6/15/2017 8:19:57 PM

[videoeditor.mov](#)

To: Republican National Committee[ecampaign@gop.com]; Foundation The Obama[reply@obama.org]; Republican Party Of Fla.[rpofdigital@rpof.org]; Pruitt, Scott[Pruitt.Scott@epa.gov]; Florida House Of Rep.[PublicInfo@myfloridahouse.gov]
From: Robert Puglisi
Sent: Fri 6/9/2017 6:56:36 PM
IMG_9383.mov

To: ComplianceInfo[ComplianceInfo@epa.gov]; Pruitt, Scott[Pruitt.Scott@epa.gov]; Republican National Committee[ecampaign@gop.com]
From: Robert Puglisi
Sent: Fri 6/9/2017 8:49:16 PM
[videoeditor.mov](#)

To: sooners7, adm[sooners7@epa.gov]
From: Ferguson, Lincoln
Sent: Fri 11/24/2017 6:26:51 PM
Subject: Fwd: Volkswagen AG Indictment/Sentencing

See below.

Sent from my iPhone

Begin forwarded message:

From: "Traylor, Patrick" <traylor.patrick@epa.gov>
Date: November 24, 2017 at 9:57:27 AM EST
To: "Ford, Hayley" <ford.hayley@epa.gov>
Cc: "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Bodine, Susan" <bodine.susan@epa.gov>
Subject: Re: Volkswagen AG Indictment/Sentencing

I'll work to nail down the details.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
(202) 809-8796 (cell)

On Nov 24, 2017, at 9:49 AM, Ford, Hayley <ford.hayley@epa.gov> wrote:

Hey Patrick,

Ex. 5 - Deliberative Process

Sent from my iPhone

On Nov 23, 2017, at 6:08 PM, Traylor, Patrick <traylor.patrick@epa.gov> wrote:

Lincoln:

Ex. 5 - Deliberative Process

Patrick Traylor

Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
(202) 809-8796 (cell)

Begin forwarded message:

From: "Ehrig, Lance" <Ehrig.Lance@epa.gov>
Date: November 22, 2017 at 2:00:30 PM EST
To: "Martinez, Jeffrey" <Martinez.Jeffrey@epa.gov>, "Stanich, Ted" <Stanich.Ted@epa.gov>, "Taylor, Jessica" <taylor.jessica@epa.gov>
Cc: "Youngberg, Jennifer" <Youngberg.Jennifer@epa.gov>, "Ostendorf, Brad" <ostendorf.brad@epa.gov>, "Adair, Scot" <Adair.Scot@epa.gov>
Subject: MUST READ: PAAR - Volkswagen AG

ALCON,

Ex. 7 - Law Enforcement/Ex. 5 - Deliberative

Ex. 7 - Law Enforcement/Ex. 5 - Deliberative

v/r

Lance

Lance Ehrig

Assistant Special Agent In Charge, Denver Area Office

U.S. EPA-Criminal Investigation Division

Denver Telephone: (303) 312-6459

Ehrig.Lance@epa.gov

WARNING - The Information Contained Herein May Include LAW ENFORCEMENT SENSITIVE And/Or PRIVACY ACT INFORMATION, The Further Distribution Of Which (Beyond The Recipients To Whom It Has Been Addressed) May Be In Violation Of Federal Information Security Regulations, Civil And/Or Criminal Law Without The Expressed Prior Written Consent To Release And/Or Disseminate Further By The U.S. EPA-CID. If You Are Not The Intended Recipient, Please Contact The Sender By Reply E-Mail And Destroy All Copies Of The Original Message And Attachments.

To: sooners7, adm[sooners7@epa.gov]
From: Ferguson, Lincoln
Sent: Wed 11/22/2017 4:45:37 PM
Subject: FW: 5 positive responses to the Administrator's message...FW: Happy Thanksgiving

Following your Thanksgiving greeting that was sent to EPA staff yesterday, we received these messages in return from a few staff across the country.

From: Dougherty, Constance
Sent: Tuesday, November 21, 2017 8:51:52 PM (UTC+00:00) Monrovia, Reykjavik
To: Message from the Administrator
Subject: RE: Happy Thanksgiving

Thank you!

Connie Dougherty,

SEE Enrollee/NAPCA

USEPA/ORD/NHEERL/WED

200 SW 35TH Street

Corvallis, OR 97333

541-754-4829

From: Miles, Ramona
Sent: Tuesday, November 21, 2017 8:32:04 PM (UTC+00:00) Monrovia, Reykjavik
To: Message from the Administrator
Subject: RE: Happy Thanksgiving

That was beautiful, Bless you Sir. Happy Thanksgiving to you and yours.

From: Seet, Karen
Sent: Tuesday, November 21, 2017 8:31:10 PM (UTC+00:00) Monrovia, Reykjavik
To: Message from the Administrator
Subject: RE: Happy Thanksgiving

I wish you a blessed Thanksgiving too!

Thank you for your service.

Karen Seet

Compliance and Program Support Branch

Data Management Team

Phone 212 637 4071

From: Hale, Sallie

Sent: Tuesday, November 21, 2017 9:52:55 PM (UTC+00:00) Monrovia, Reykjavik

To: Message from the Administrator

Subject: RE: Happy Thanksgiving

And we are incredibly thankful for your continued interest in the environment and generous support of our mission.

Sallie Hale

Sallie Hale

Analytical Chemist

AFGE Vice President - Athens

Science and Ecosystem Support Division

United States EPA Region 4

706-355-8815 (W)

706-614-5330 (C)

halesallie@gmail.com

Views or Opinions expressed in this email are solely representative of the sender and do not represent those of the EPA.

From: Whittington, Paula
Sent: Tuesday, November 21, 2017 8:26:56 PM (UTC+00:00) Monrovia, Reykjavik
To: Message from the Administrator
Subject: RE: Happy Thanksgiving

Mr. Pruitt,

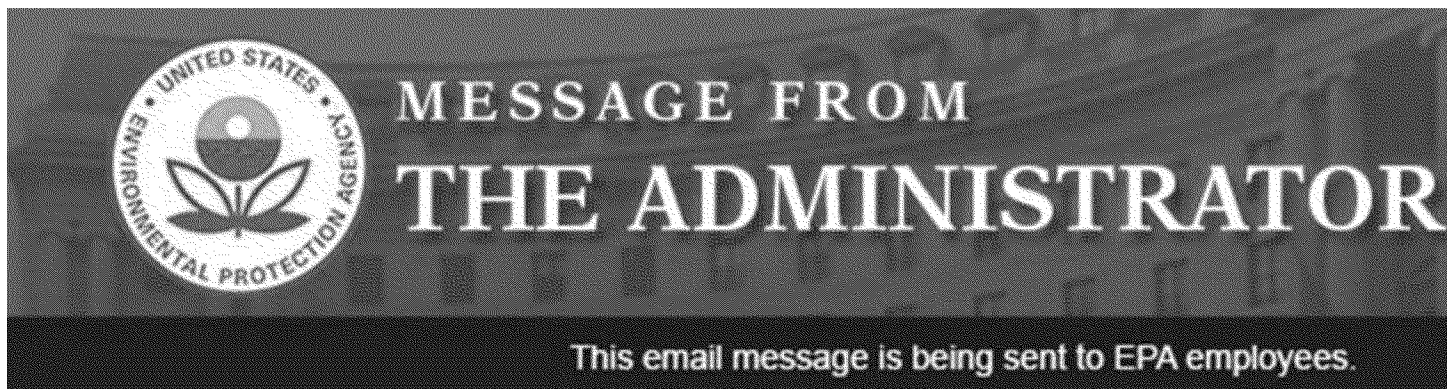
Thank you so very much for such a beautiful greeting. Please have an enjoyable Thanksgiving Day!

Thank you,

Paula Whittington

EPA Office of Environmental Education

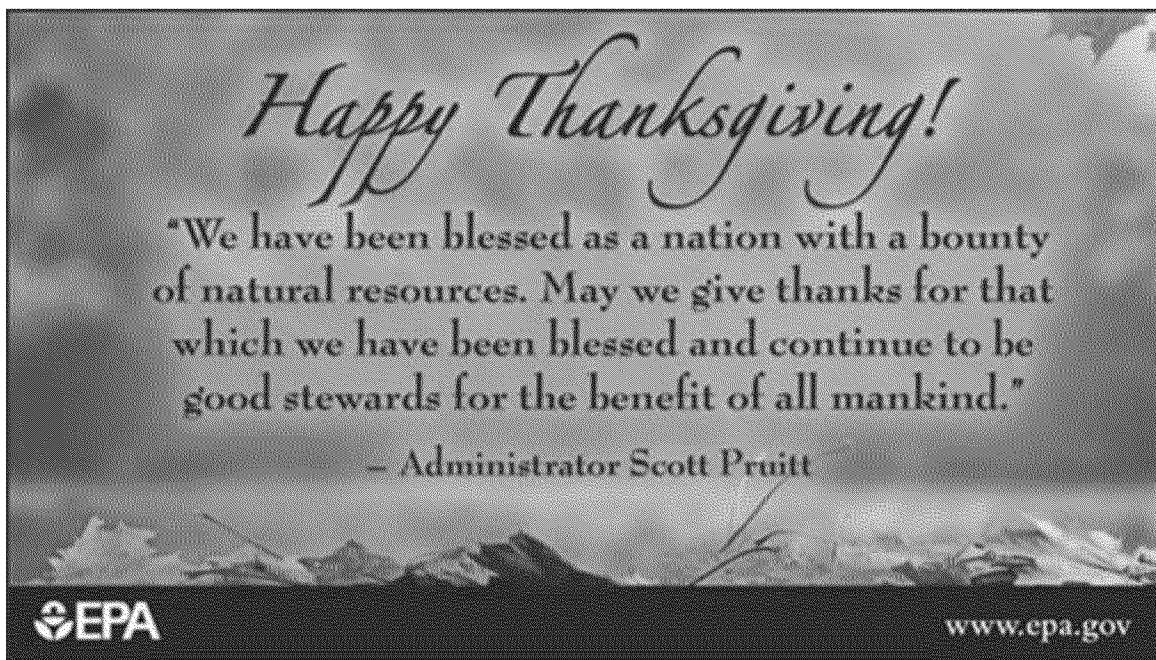
From: Message from the Administrator
Sent: Tuesday, November 21, 2017 3:18 PM
To: Message from the Administrator <messagefromtheadministrator@epa.gov>
Subject: Happy Thanksgiving



This week across our great country, people will gather to celebrate Thanksgiving. The holiday is a time to be with family and friends, to share a meal, and to reflect upon that for which we are grateful.

Please know that I, along with my leadership team, and the American people are thankful for your dedication and commitment to the core mission of EPA, to protect human health and the environment. Because of all of you, Americans can appreciate the many safeguards put in place to ensure clean air, water, and land.

Please be safe in your travels and I wish a blessed Thanksgiving weekend to everyone at EPA.



To: sooners7, adm[sooners7@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]
From: Ferguson, Lincoln
Sent: Tue 11/21/2017 11:15:34 PM
Subject: Memo to POTUS re TransCanada 11-21-2017 v 3.docx
Memo to POTUS re TransCanada 11-21-2017 v 3.docx
ATT00001.txt

Attached is the final memo.

To: Dravis, Samantha[dravis.samantha@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; sooners7, adm[sooners7@epa.gov]
From: Bowman, Liz
Sent: Sun 11/5/2017 9:13:41 PM
Subject: Fwd: EPA Press Statement on Red Team/Blue Team Effort on Climate Report

Sent from my iPhone

Begin forwarded message:

From: "Kelly, John F. EOP/WHO" <Ex. 6 - Personal Privacy>
Date: November 5, 2017 at 4:07:26 PM EST
To: "Porter, Robert R. EOP/WHO" <Ex. 6 - Personal Privacy>
Cc: "Schlapp, Mercedes V. EOP/WHO" <Ex. 6 - Personal Privacy> "Nielsen, Kirstjen M. EOP/WHO" <Ex. 6 - Personal Privacy> "Sanders, Sarah H. EOP/WHO" <Ex. 6 - Personal Privacy> "Hicks, Hope C. EOP/WHO" <Ex. 6 - Personal Privacy> "Fuentes, Zach D. EOP/WHO" <Ex. 6 - Personal Privacy> Margaret Peterlin <peterlinmja@state.gov>, "bowman.liz@epa.gov" <bowman.liz@epa.gov>
Subject: Re: EPA Press Statement on Red Team/Blue Team Effort on Climate Report

Tokyo

All,

Ex. 5 - Deliberative Process

Kelly

Sent from my iPad

On Nov 6, 2017, at 5:55 AM, Porter, Robert R. EOP/WHO <Ex. 6 - Personal Privacy> wrote:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

On Nov 6, 2017, at 5:14 AM, Schlapp, Mercedes V. EOP/WHO

Ex. 6 - Personal Privacy wrote:

Ex. 5 - Deliberative Process

Sent from my iPhone

On Nov 5, 2017, at 3:10 PM, Kelly, John F. EOP/WHO

Ex. 6 - Personal Privacy wrote:

What is you phone number

Sent from my iPad

On Nov 6, 2017, at 5:01 AM, Schlapp, Mercedes V. EOP/WHO

Ex. 6 - Personal Privacy wrote:

Got it. Thx

Sent from my iPhone

On Nov 5, 2017, at 2:48 PM, Kelly, John F. EOP/WHO

Ex. 6 - Personal Privacy wrote:

Ex. 5 - Deliberative Process

Kelly

Sent from my iPad

On Nov 5, 2017, at 10:50 PM, Schlapp, Mercedes V. EOP/WHO

Ex. 6 - Personal Privacy wrote:

Ex. 5 - Deliberative Process

Thx mercy

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>

Date: November 4, 2017 at 4:50:58 PM EDT

To: "Ex. 6 - Personal Privacy"

<Ex. 6 - Personal Privacy>, "Schlapp, Mercedes
V. EOP/WHO" <Ex. 6 - Personal Privacy>
"Sanders, Sarah H. EOP/WHO"

Ex. 6 - Personal Privacy

Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Dravis,
Samantha" <dravis.samantha@epa.gov>

Subject: EPA Press Statement on Red Team/Blue
Team Effort on Climate Report

Rob, Mercy and Sarah – Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

reached at Ex. 6 - Personal Privacy Thank you – Liz Bowman, on
behalf of EPA Administrator Pruitt

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

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To: sooners7, adm[sooners7@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]
From: Bowman, Liz
Sent: Sun 11/5/2017 4:27:10 PM
Subject: For Review: Updated Red/Blue Statement

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

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Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

To: sooners7, adm[sooners7@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]
From: Bowman, Liz
Sent: Sun 11/5/2017 3:20:54 PM
Subject: Re: EPA Press Statement on Red Team/Blue Team Effort on Climate Report

Dial in number [Ex. 6 - Personal Privacy] passcode [Ex. 6 - Personal Privacy] host pin [Ex. 6 - Personal Privacy]

Sent from my iPhone

On Nov 5, 2017, at 10:11 AM, sooners7, adm <sooners7@epa.gov> wrote:

Let's discuss. Needs revision.

Sent from my iPhone

On Nov 4, 2017, at 5:06 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

I think we are set. Good?

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

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To: sooners7, adm[sooners7@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]
From: Bowman, Liz
Sent: Sun 11/5/2017 3:19:13 PM
Subject: Re: EPA Press Statement on Red Team/Blue Team Effort on Climate Report

I can send around a conference line, do y'all want to talk at 10:30?

Sent from my iPhone

On Nov 5, 2017, at 10:11 AM, sooners7, adm <sooners7@epa.gov> wrote:

Let's discuss. Needs revision.

Sent from my iPhone

On Nov 4, 2017, at 5:06 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

I think we are set. Good?

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

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To: sooners7, adm[sooners7@epa.gov]
From: Ferguson, Lincoln
Sent: Mon 10/23/2017 11:16:43 PM
Subject: Fwd: For Review: Draft Board Comms Materials
2017-10-22 Draft Internal CoS communication re Boards.docx
ATT00001.htm
2017-10-20 Draft News Release re Boards.docx
ATT00002.htm
2017-10-22 Draft Fact Sheet on Boards.docx
ATT00003.htm

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: October 22, 2017 at 5:42:54 PM CDT
To: "Bolen, Brittany" <bolen.brittany@epa.gov>, "Yamada, Richard (Yujiro)" <yamada.richard@epa.gov>, "Schwab, Justin" <Schwab.Justin@epa.gov>, "Feeley, Drew (Robert)" <Feeley.Drew@epa.gov>
Cc: "Abboud, Michael" <abboud.michael@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>
Subject: FW: For Review: Draft Board Comms Materials

From: Bowman, Liz
Sent: Sunday, October 22, 2017 6:41 PM
To: Bolen, Brittany (bolen.brittany@epa.gov) <bolen.brittany@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Feeley, Drew (Robert) <Feeley.Drew@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; hewitt.james@epa.gov; Konkus, John <konkus.john@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; Lincoln Ferguson (ferguson.lincoln@epa.gov) <ferguson.lincoln@epa.gov>
Subject: For Review: Draft Board Comms Materials

Attached, please find three documents for approval with regard to the Boards rollout. I realize that this is a moving target and we are still trying to nail down specifics on the grant numbers, but want to present the following as documents to review, including: a press release focused on the main message that the Administrator wanted to convey, a supporting fact sheet with details on each board (needs some specifics filled in) and then a draft

internal message that Ryan can send to staff the day of the announcement. James is also going to work with Richard on an op-ed that addresses these messages about transparency, independence and fresh perspectives. Right now this is slated for Wednesday, but we may need to push this a week...

Thank you,

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

To: sooners7, adm[sooners7@epa.gov]
From: Ferguson, Lincoln
Sent: Wed 10/11/2017 10:49:02 AM
Subject: Fwd: FOR APPROVAL// Hugh Hewitt Radio Brief

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: October 10, 2017 at 6:17:36 PM EDT
To: "Hewitt, James" <hewitt.james@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: RE: FOR APPROVAL// Hugh Hewitt Radio Brief

Good, thanks

From: Hewitt, James
Sent: Tuesday, October 10, 2017 5:15 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: FOR APPROVAL// Hugh Hewitt Radio Brief

Live Radio Interview
Wednesday, October 11 from 8:05 AM – 8:16 AM

Administrator's Office

Location: Office of the Administrator

Host: Hugh Hewitt

Outlet: Salem Radio Network

Topics: Proposal to repeal the Clean Power Plan

Time: 8:05am ET

Length: 11 minutes

Call-in number: Ex. 6 - Personal Privacy

Backup number: Ex. 6 - Personal Privacy

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Bloomberg

<https://www.bloomberg.com/news/articles/2017-10-10/epa-formally-proposes-to-rescind-obama-era-clean-power-plan-j8lta11v>

Trump Administration Formally Proposes to Rescind Obama's Clean Power Plan

By Jennifer A. Dlouhy and Jim Polson, 10/10/17

The Trump administration on Tuesday proposed to repeal former President Barack Obama's sweeping plan for paring greenhouse gas emissions, opening a small window for a revival of coal-fired electricity.

The formal rollback of that initiative, the Clean Power Plan, also will prolong uncertainty over the makeup of the U.S. energy mix and how much utilities must do to cut emissions generated by burning fossil fuels.

"We are committed to righting the wrongs of the Obama administration by cleaning the regulatory slate," EPA Administrator Scott Pruitt said in a news release.

It will take months, if not longer, for President Donald Trump's EPA to formally end the Clean Power Plan, much less decide on whether -- and how -- to replace it. And even that action won't decide the issue, as environmental activists and state leaders, including New York Attorney General Eric Schneiderman, have already vowed to challenge the rollback.

"It extends a cloud over a whole lot of investment for the next couple of years," said Kit Konolige, a New York-based Bloomberg Intelligence analyst. Coming on top of weak growth in demand for energy, "it's more uncertainty that you really didn't need."

The Clean Power Plan dictated specific carbon-cutting targets for states based on a complex formula tied to their 2012 power plant emissions -- and then gave them broad latitude to decide how to achieve those reductions, such as retiring coal-fired plants, adding renewable power, and promoting energy conservation.

The initiative, which was designed to cut U.S. carbon dioxide emissions by 32 percent from 2005 levels by 2030 never actually took effect because the U.S. Supreme Court put it on hold in February 2016.

With its proposed repeal Tuesday, Trump's EPA is siding with the plan's critics in arguing that it dictated overly broad changes to the U.S. energy system, rather than setting mandates on specific power plants.

The agency is not committing to writing a new regulation governing greenhouse gas emissions from power plants. Instead, it will formally ask the public to weigh in on whether a replacement is warranted, and, if so, how it should be designed.

"Any replacement rule will be done carefully, properly, and with humility, by listening to all those affected by the rule," Pruitt said.

To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; sooners7, adm[sooners7@epa.gov]
From: Bowman, Liz
Sent: Mon 9/18/2017 3:16:18 PM
Subject: Concordia Talking Points

ADMINISTRATOR PRUITT CONCORDIA EVENT

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

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Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

To: sooners7, adm[sooners7@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]
From: Bowman, Liz
Sent: Fri 9/8/2017 11:35:26 PM
Subject: Joint City, State, Federal Statement re: Houston Air Monitoring

Administrator Pruitt – I want to make sure that you saw that EPA, TCEQ and the City of Houston put out the joint press release below showing that no levels of toxic chemicals were detected above the levels of concern set by the TCEQ. EPA has been on-scene conducting real-time air monitoring near the facility and continues to investigate complaints in the area. This release, which was put out jointly with the city and the state agency, directly contradicts the reporting from the New York Times today – which was based on a single air sample taken from an EDF contractor and sent only to the New York Times (it hasn't been made public, data hasn't been analyzed, etc.). Please let me know if you have any questions. Thank you – Liz



CONTACT: press@epa.gov

EPA/TCEQ/CITY OF HOUSTON HARVEY UPDATE: AIR MONITORING DATA RELEASED

EPA's mobile laboratory, using the trace atmospheric gas analyzer and commonly called TAGA, is a triple quadrupole mass spectrometer system, extensively monitored the neighborhood adjacent to the Valero refinery in southeast Houston. To date, no levels of targeted toxic chemicals were detected above the Texas TCEQ Air Monitoring Comparison Values (AMCV) short-term screening levels. Copies of the TAGA results are attached.

EPA continues to conduct ambient air monitoring in Houston, and is focusing on an area of potential concern associated with reported air emissions from a Valero facility in Houston to identify the possible source of emissions. EPA has been on-scene conducting real-time air monitoring near the facility and continues to investigate complaints in the area.

EPA conducted an inspection of the Valero facility on Monday, September 5, 2017, confirmed that a tank at the facility did have a leak which occurred on August 26, 2017 from the Hurricane Harvey storm and flooding. EPA also confirmed Valero had taken action to respond to and repair the leak. Based on current site conditions including weather, repair actions by Valero, and air monitoring results, EPA's inspection could not confirm the tank was the source of the air release that led to complaints in the area immediately after the storm. EPA's air monitoring performed onsite and around the facility on September 5 does not indicate levels of concern for the community. EPA will continue air monitoring for additional sources in the area.

The Trace Atmospheric Gas Analyzer (TAGA) is a self-contained mobile laboratory capable of real-time monitoring and sampling/analysis of outdoor air or emissions. The instrumentation refers both to the analytical instrument and the mobile laboratory built around it. The instrumentation aboard a TAGA mobile laboratory includes: A TAGA mass spectrometer/mass spectrometer (MS/MS), which provides real-time monitoring for many organic and inorganic compounds at the part-per-billion by volume (ppbv) levels or lower. An Agilent gas chromatograph/mass spectrometer (GC/MS), which analyzes volatile organic compounds at the ppbv level or lower in air samples collected in Tedlar® bags using a loop injection system. A global positioning system (GPS), which supplies accurate, real-time positional data during mobile monitoring or stationary events.

https://response.epa.gov/sites/12353/files/TAGA_Results_analyzed20170905.pdf

https://response.epa.gov/sites/12353/files/TAGA_Results_analyzed20170906.pdf

###

To: sooners7, adm[sooners7@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Sun 9/3/2017 3:37:12 PM
Subject: Fwd: STATUS OF WATER SYSTEMS IN AREAS AFFECTED BY HARVEY

Morning update next plus getting ahead of water stories

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 - Personal Privacy

Begin forwarded message:

From: US EPA Press Office <noreply-subscriptions@epa.gov>
Date: September 3, 2017 at 11:28:59 AM EDT
To: <jackson.ryan@epa.gov>
Subject: STATUS OF WATER SYSTEMS IN AREAS AFFECTED BY HARVEY

CONTACT: press@epa.gov

STATUS OF WATER SYSTEMS IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 3, 2017) – Working together, the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) continue to coordinate with local, state and federal officials to address the human health and environmental impacts of Hurricane Harvey and its aftermath, especially the water systems in the affected areas. As of Saturday, September 2nd, 2017, the following information is available:

- **Drinking Water:** Half (2300) of the 4500 drinking water systems potentially affected by Harvey have been contacted. Of those: 1514 systems are fully operational, 166 have boil-water notices, and 50 are shut down. The agencies are contacting remaining systems to gather updated information of their status. Assistance Teams are in the field working directly with system operators to expedite bringing systems back to operational status. Additional drinking water assessments should be up and running within the next day.

- **Waste Water and Sewage:** Currently, 1656 of approximately 2469 wastewater treatment plants are fully operational in the affected counties. The agencies are aware that releases of wastewater from sanitary sewers that is occurring, due to the historic flooding and are actively working to monitor facilities that have reported spills, conduct outreach and provide technical guidance to all other wastewater facilities in flood-impacted areas. EPA and TCEQ are working closely with the U.S. Coast Guard, the Texas Military Department, and other local and state agencies to continuously monitor wastewater systems. Houston's unified command will be up and running shortly to support water testing. Assistance Teams will be deployed to work directly with system operators to expedite bringing systems back to operational status.

- Residential Wells: EPA is developing a plan for sampling residential wells, and is coordinating with TCEQ to establish several locations where residents can bring water samples from their wells to be tested.

- Flood Water: Water quality sampling will be focused on industrial facilities and hazardous waste sites. Floodwaters contain many hazards, including bacteria and other contaminants. Precautions should be taken by anyone involved in cleanup activities or any others who may be exposed to flood waters. These precautions include heeding all warnings from local and state authorities regarding safety advisories. In addition to the drowning hazards of wading, swimming, or driving in swift floodwaters, these waters can carry large objects that are not always readily visible that can cause injuries to those in the water. Other potential hazards include downed power lines and possible injuries inflicted by animals displaced by the floodwaters.

Additional EPA/TCEQ updates include:

- Superfund Sites: EPA and TCEQ continue to get updates about the status of specific sites from the parties responsible for ongoing cleanup of the sites. The most recent information can be found [here](#).

- Air Quality Monitoring: One of the many preparations for Hurricane Harvey included EPA, TCEQ, and other monitoring entities temporarily removing approximately 75 percent of the stationary air monitoring equipment from the greater Houston, Corpus Christi, and Beaumont areas. Since then, state and local authorities are working to get the systems up and running again. As of Saturday, September 2, over 70 percent of the monitors are up and working again; and authorities expect that the network will be fully operational again by next week. Of the available air monitoring data collected from August 24-September 2, 2017, all measured concentrations were well below levels of health concern. Monitors are showing that air quality at this time is not concerning and local residents should not be concerned about air quality issues related to the effects of the storm.

- Fires at Arkema Facility in Crosby, Texas: EPA and TCEQ are coordinating closely with Harris County Officials along with the U.S. Department of Homeland Security, and other local public safety officials. As a result of initial chemical fires while the facility was flooded, EPA has collected downstream surface water runoff samples at four locations outside the evacuation zone, near residential areas. EPA and TCEQ will maintain a 24 hour watch and maintain a 24-hour presence at the incident command operations center near this facility, to support local emergency personnel on the ground. The 1.5 mile radius evacuation zone remains in effect until local emergency response authorities announce it is safe.

- Refineries/Fuel Waivers: In addition to waivers for 38 states and D.C., EPA signed four No Action Assurance (NAA) letters on September 1, to help address fuel shortages. NAA will help expedite the distribution of existing gasoline supplies to both Texas and Louisiana, while the refineries work to re-start and resume normal operations. Each is effective until September 15, 2017, and should allow for the distribution in Texas of 10 million or more gallons of gasoline to consumers.

For additional information from TCEQ, please visit: <https://www.tceq.texas.gov/response/hurricanes>

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

To: sooners7, adm[sooners7@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Sat 9/2/2017 11:26:36 PM
Subject: Evening update
9-2-2017 1700 Update final .doc.pdf
ATT00001.txt

Doesn't include newest waste water and drinking water update. Will have release from Governor, TCEQ, and EPA we are planting now and will generally release first thing in the morning. Superfund release already being picked up. We want that to get more legs too.



Tropical Storm Harvey 2017 9/2/2017 – 1700 CDT Update

TEXAS

On September 2, 2017, FEMA approved the State of Texas' request to amend the cost waiver for response effort funding. The waiver decreases the cost share from 30 days from the date of the Presidential Declaration, the cost share has been decreased to 0%, except for debris recovery, which was decreased to 10% for 30 days from the date of the Presidential Declaration.

FEMA's Joint Field Office (JFO) opened as of September 2, 2017. EPA Region 6 has two Liaison representatives stationed at the JFO which is located in Austin, Texas.

ARKEMA FIRE

As of 4:00 Friday, Sept. 2, 2017, three of the 9 trailers self-ignited at the Arkema facility. Smoke was also observed from an additional trailer. It is expected that all the trailers will catch fire in the near future. EPA's ground air monitoring results outside the exclusion zone were below levels of health concern.

- ☐ Unified Command has determined that access to the facility is still unsafe and a 1.5-mile evacuation radius will remain in effect until further notice.
- ☐ EPA will continue to maintain a 24-hr presence with air monitoring capabilities at the incident command operations center.

BEAUMONT

TCEQ is sending four teams to survey the Beaumont area. Water pressure in the city of Beaumont water system is increasing; however, due to the previous low pressure in the system the city continues to be under a boil water notice.

On September 2, 2017, the TCEQ received the following status update from the City of Beaumont:

The groundwater plant remains off-line due to flooding conditions. The surface water treatment plant (SWP) is producing 20 Million gallons per day (MGD). Water is being sent to limited sections of distribution at this time due to the inability to maintain pressure in the distribution system. Operators are slowly opening main distribution lines and determine

where pressure is being lost so repairs can be made. This will be a slow, methodical process to bring the entire system up to desired pressure.

The raw water pumps are out, and are estimated to remain out of service for 2-3 weeks. Crews are currently on-site installing additional pipe and installing additional pumps to bring raw water directly from the Neches River into the plant. The estimated demand will be above the plant capacity of 20 MGD. It is estimated that the full capacity will take longer to determine due to leaks in the distribution system. The elevated storage tanks and groundwater tanks are mostly full. The City of Beaumont will be on a boil water notice when it goes on-line.

Additional current status:

Chemical and fuel deliveries are expected to resume as roads begin to open in the next few days.

The City has their Emergency Operations Center (EOC) fully functional and is coordinating efforts to make repairs and acquire chemicals and materials for both short-term and long-term.

FIELD RESPONSE ACTIVITIES

LOUISIANA

The State of Louisiana has received an Emergency Declaration (FEMA-3382-EM) which includes a total of 12 Parishes: Allen, Acadia, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, Natchitoches, Rapides, Sabine, and Vermillion, Vernon

CORPUS CHRISTI

In the Corpus Branch the Orphan Container Recovery Group conducted orphan container recovery in Port Aransas. Containers which have been displaced and are leaking as a result of the hurricane are being identified and recovered.

The Water Infrastructure Assessment Group consists of four teams who are conducting assessments for both Drinking Water and Waste Water Facilities. Teams are prioritizing facilities, and conducting evaluation of these facilities.

The Hazard Evaluation Group consists of two teams performing orphan container hazard evaluation. Teams are prioritizing Rapid Needs Assessment Targets and conducting evaluation of the targets.

The Oil Discharge Assessment Group consists of 5 teams. Three ER Teams respond to reports of active pollution discharges and conduct patrols as tasked. There are two Oil Discharge Assessment Teams conducting assessments and responding to spills from Port Aransas to Corpus Christi and from Fulton to Ingleside. All teams are conducting hazard evaluation and damage assessment, and collecting information on damaged and sunken vessels.

There is also a Staging Group that is receiving, processing, categorizing, bulking and disposing of any and hazardous containers.

EPA's aerial reconnaissance aircraft is assessing public water supplies, wastewater treatment facilities, Risk Management Plan (RMP) and Facility Response Plan (FRP) facilities for damage and immediate ongoing releases.

EPA personnel deployments to Austin, Beaumont-Port Arthur, Houston and Corpus Christi will continue throughout the weekend. Personnel will be supporting the Unified Command teams that are identifying and evaluating impacts of the hurricane and floods, as well as coordinating with TCEQ to assist with priority drinking and waste water assessments. EPA is working with TCEQ to issue a statement on the hazards of floodwaters. Assisting drinking water and waste water facilities in maintaining and/or resuming their operational status remains a high priority.

HOUSTON

Aerial Recon teams are being formed for the next operational period. It is anticipated these teams will be placed in Bravo Branch.

The Orphan Container Hazard Evaluation Group consists of 7 teams. Team compositions include personnel from the EPA, USCG, TCEQ, TGLO, and CTEH. The group's primary purpose is to conduct orphan container hazard evaluation throughout Branch Bravo's geographical area.

The spill report Investigation Group consists of one team. The team composition is currently two EPA members. The group's primary purpose is to investigate any NRC reports within the Branch Bravo's geographical area.

The Oil Discharge Assessment Group consists of 5 teams. Each team has three members and includes personnel from the EPA, USCG, TCEQ, and CTEH. The group's primary purpose is to conduct oil discharge assessments throughout Branch Bravo's geographical area.

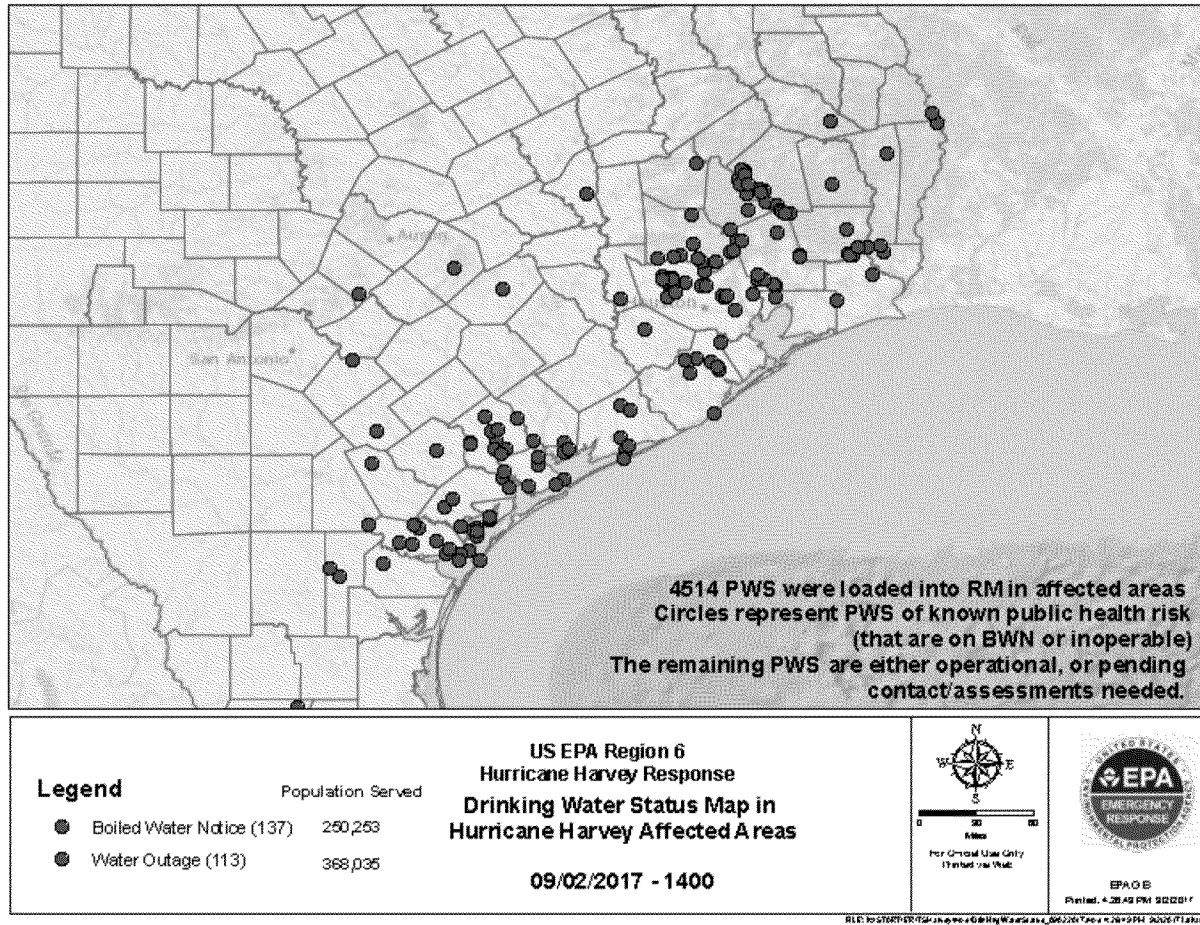
The Orphan Container Recovery Group consists of 2 teams. Each team has three members and includes personnel from USCG, TCEQ, and an OSRO. The group's primary purpose is to conduct orphan container recovery throughout Branch Bravo's geographic area.

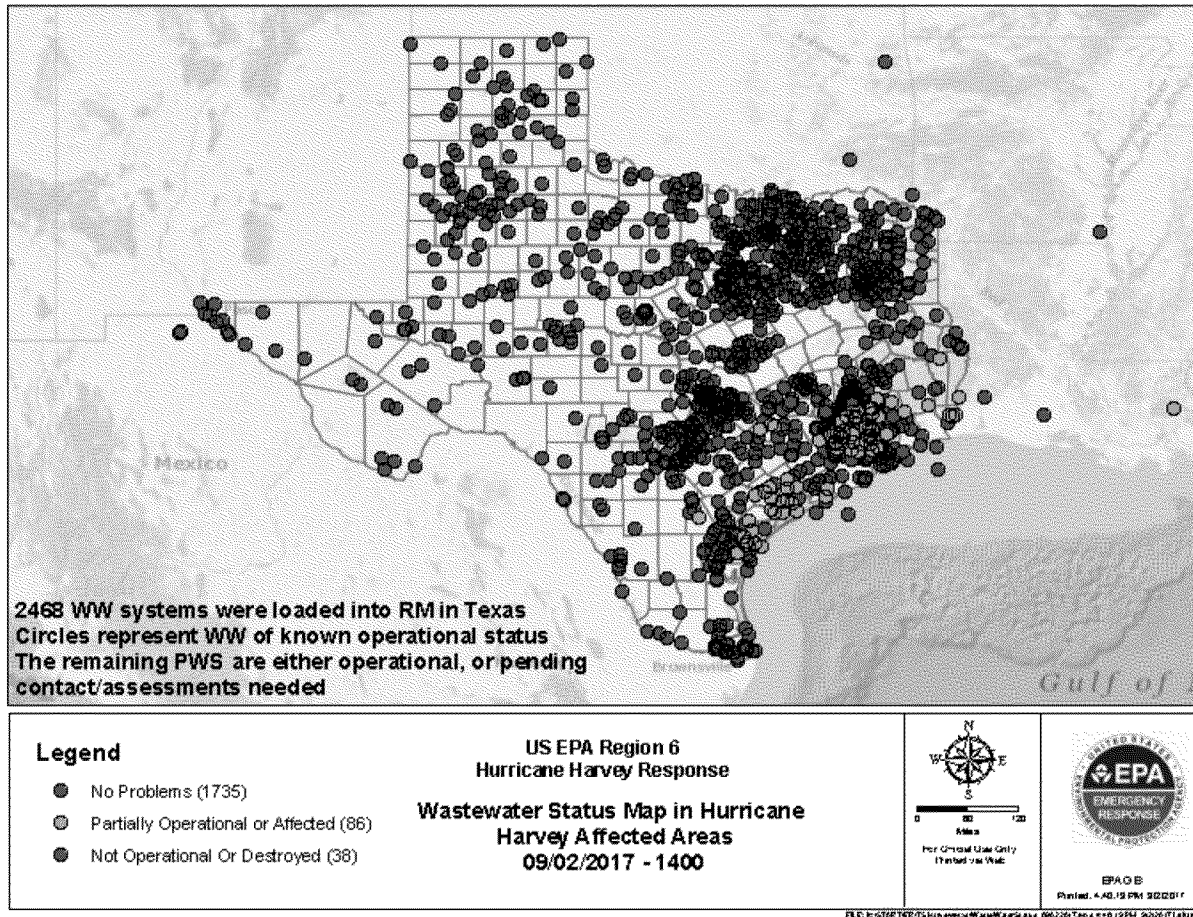
SPILL/RELEASE RESPONSE

Hotline Calls as of September 1, 2017	
Number of Harvey Related Calls Received During Reporting Period 0100 to 1300 hr.	5
Total Number of Harvey Related Calls to Date	120
* EPA is assessing each call to determine appropriate response and forwarding reports to field personnel to conduct further assessments and response as needed.	

DRINKING WATER / WASTEWATER ASSESSMENTS

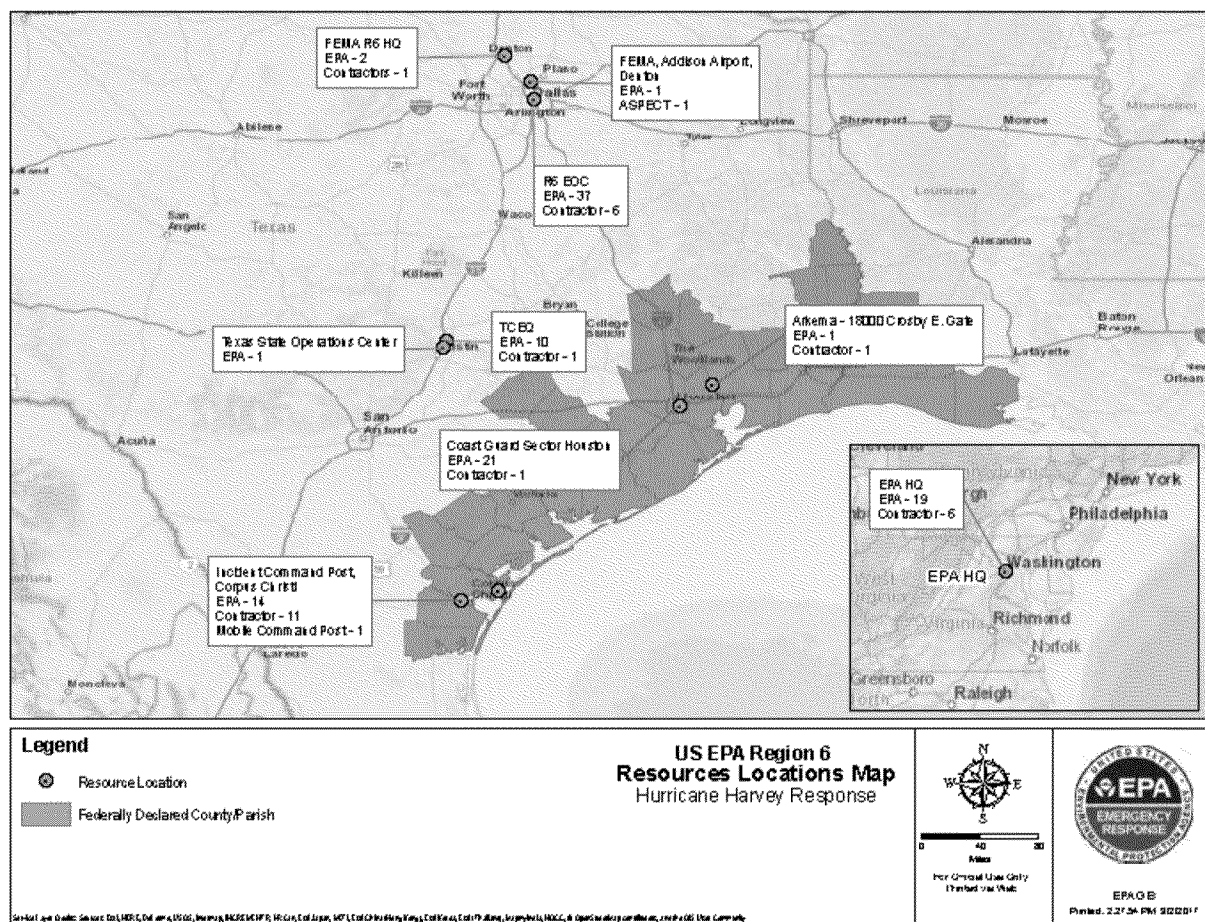
EPA continues to support TCEQ in contacting drinking water and waste water systems. EPA deployed 10 personnel to assist TCEQ's Drinking Water and Waste Water Phone Bank located in Austin.





RESOURCES

Personnel	EPA Dallas, TX	FEMA Denton, TX	Texas SOC Austin, TX	TCEQ Austin, TX	Houston, TX	Corpus Christi, TX	HQ EOC Wash DC	Totals
EPA	36	1	2	10	9	13	19	84
START	5			1	1	5		12
ERRS						6		6
Other Contractors	1						6	4
TOTAL	42	1	2	11	10	24	25	106



FUNDING

SEPTEMBER 1, 2017

Funding Sources	Funding Ceiling	Funding Ceiling Less Indirect	Spent to Date	Remaining Balance	Daily Burn Rate
Non Mission Assignment	N/A		\$64,200.00	\$0.00	
MA 4332DR-TX-EPA-01	\$20,000.00	\$17,654.00	\$0.00	\$17,654.00	
MA 4332DR-TX-EPA-03	\$8,592,000.00	\$7,584,077.00	\$1,759,127.00	\$5,824,950.00	\$90,233.84*
Totals:	\$8,612,000.00	\$7,601,731.00		\$7,601,731.00	

*Burn rate does not include daily ERRS amounts, not yet received. The burn does include START & ASPECT

** Indirect costs represent the money the Cincinnati Shared Service Center takes off the top to manage the Mission Assignments

REFINERIES/FUELWAIVERS

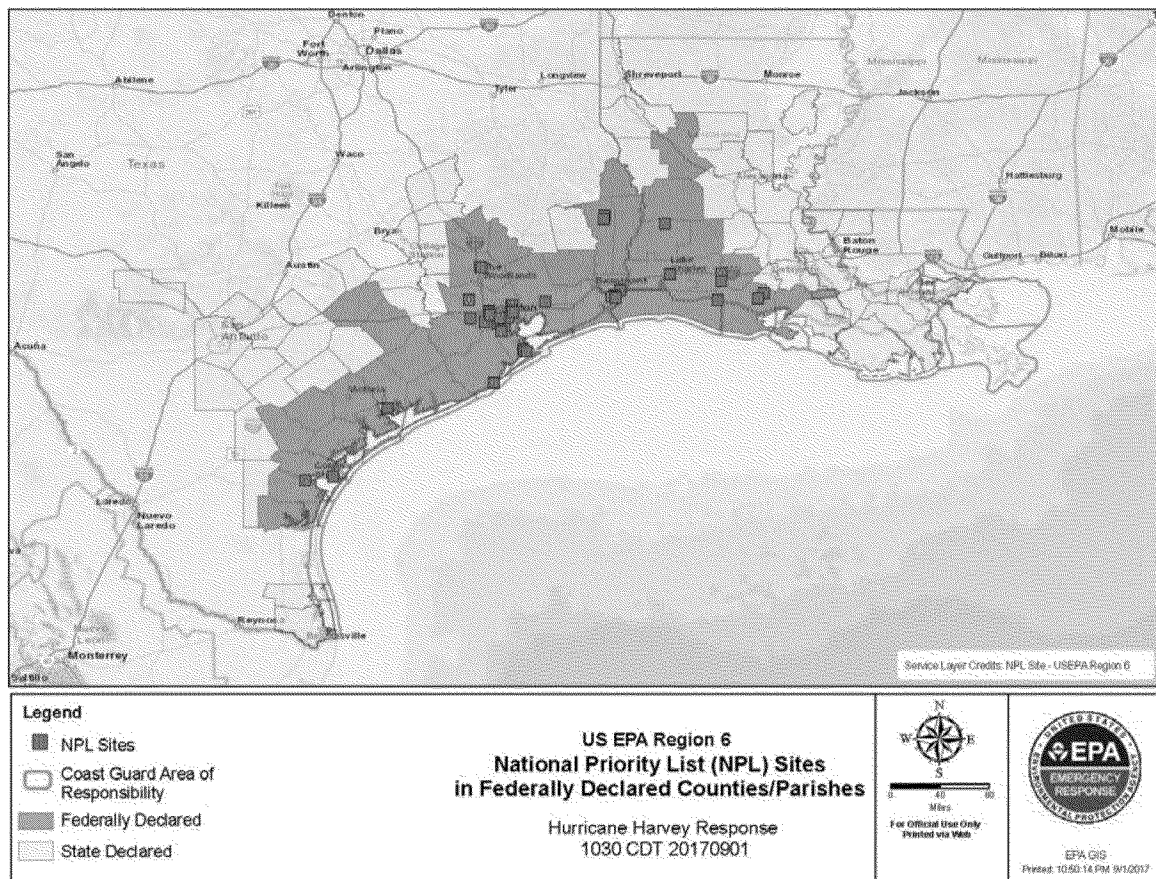
Four No Action Assurance (NAA) letters were signed by EPA September 1, 2017, to help address fuel shortages. Of the 17 refineries along the Texas coast, as of September 1, only 6 have returned to partial operation due to Hurricane Harvey. The following NAAs will help expedite the distribution of existing gasoline supplies in both Texas and Louisiana while the refineries work to re-start and resume normal operations. For each NAA, EPA will exercise discretion not to pursue enforcement for violations of the regulations identified in the NAAs. Each NAA is effective for two weeks, or September 15. It is anticipated that these NAAs will allow for the immediate distribution in Texas of 10 million or more gallons of gasoline to consumers.

- ☐ **Texas NAA for Vapor Recovery Systems:** Several federal regulations and the Texas State Implementation Plan (SIP) require that bulk gasoline, marine, and rail loading terminals operate a vapor control system to collect the fuel vapors displaced from tank trucks during product loading. This NAA allows the loading and unloading of fuel at terminals that have damaged or inoperable vapor recovery devices or that are otherwise not equipped with such devices.
- ☐ **Texas NAA for Truck Loading at Petroleum Distribution Terminals:** Several federal regulations and the Texas SIP require that gasoline tank trucks obtain testing and certification that the tank trucks are vapor tight. This NAA allows tank trucks to load and unload fuel at terminals even though the trucks may not be registered with the terminals as having completed all the testing for tank tightness or have the documentation on hand to prove it.

- **Texas NAA for Roof Landings at Gasoline Storage Vessels:** This relates to several federal regulations and the Texas SIP covering storage vessels with external floating roofs. Specifically, when the operator removes product from the vessel such that the roof lands on the vessel's legs, such action must be a continuous motion, i.e. the process of re-filling the vessel must begin immediately after roof landing. This NAA will allow roof landings without requiring immediate re-filling of the vessel.

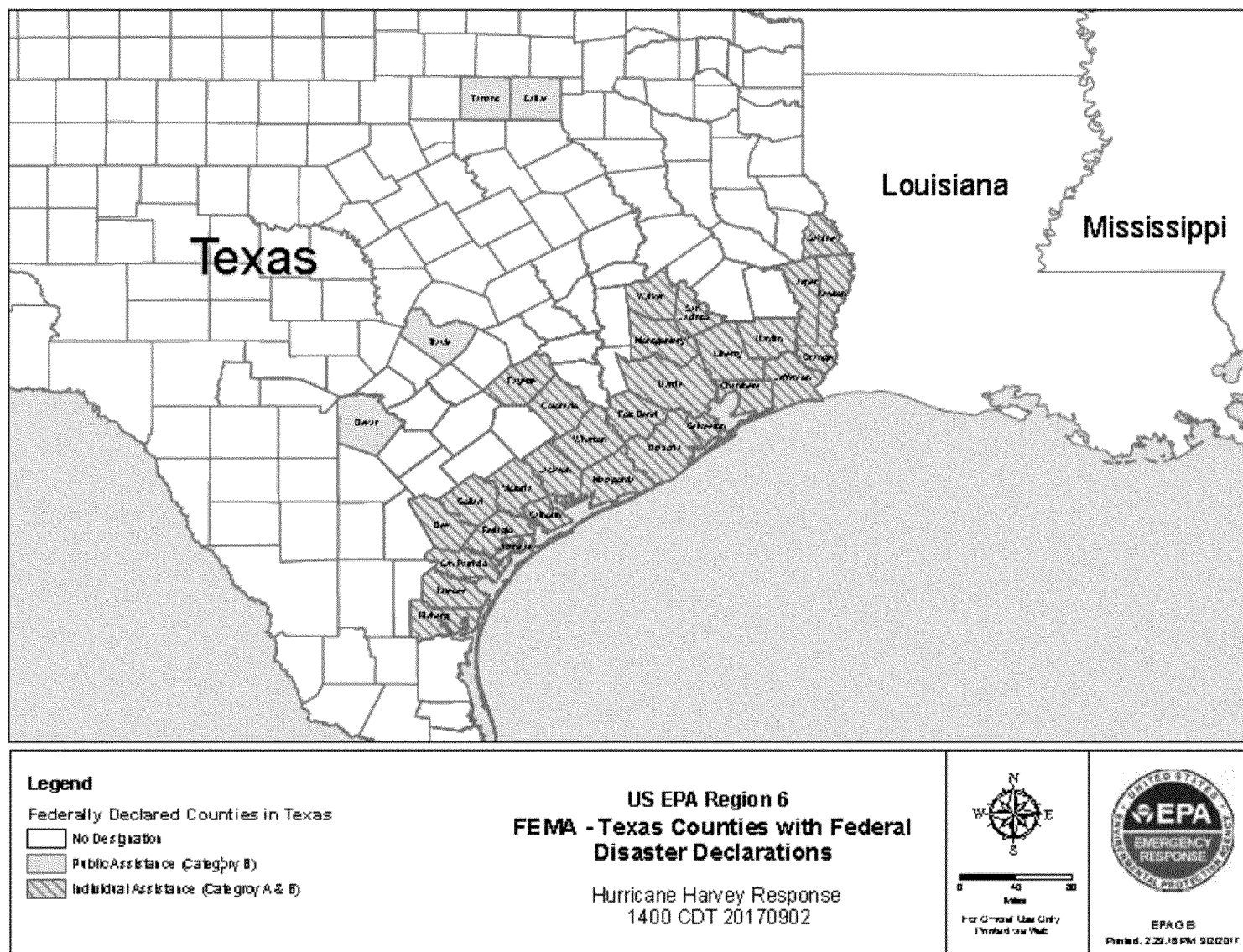
- **Louisiana NAA for Truck Loading at Petroleum Distribution Terminals:** Several federal regulations and the Louisiana SIP require that gasoline tank trucks obtain testing and certification that the tank trucks are vapor tight. This NAA allows tank trucks to load and unload fuel at terminals even though the trucks may not be registered with the terminals as having completed all the testing for tank tightness or have the documentation on hand to prove it.

SUPERFUND NPL SITES

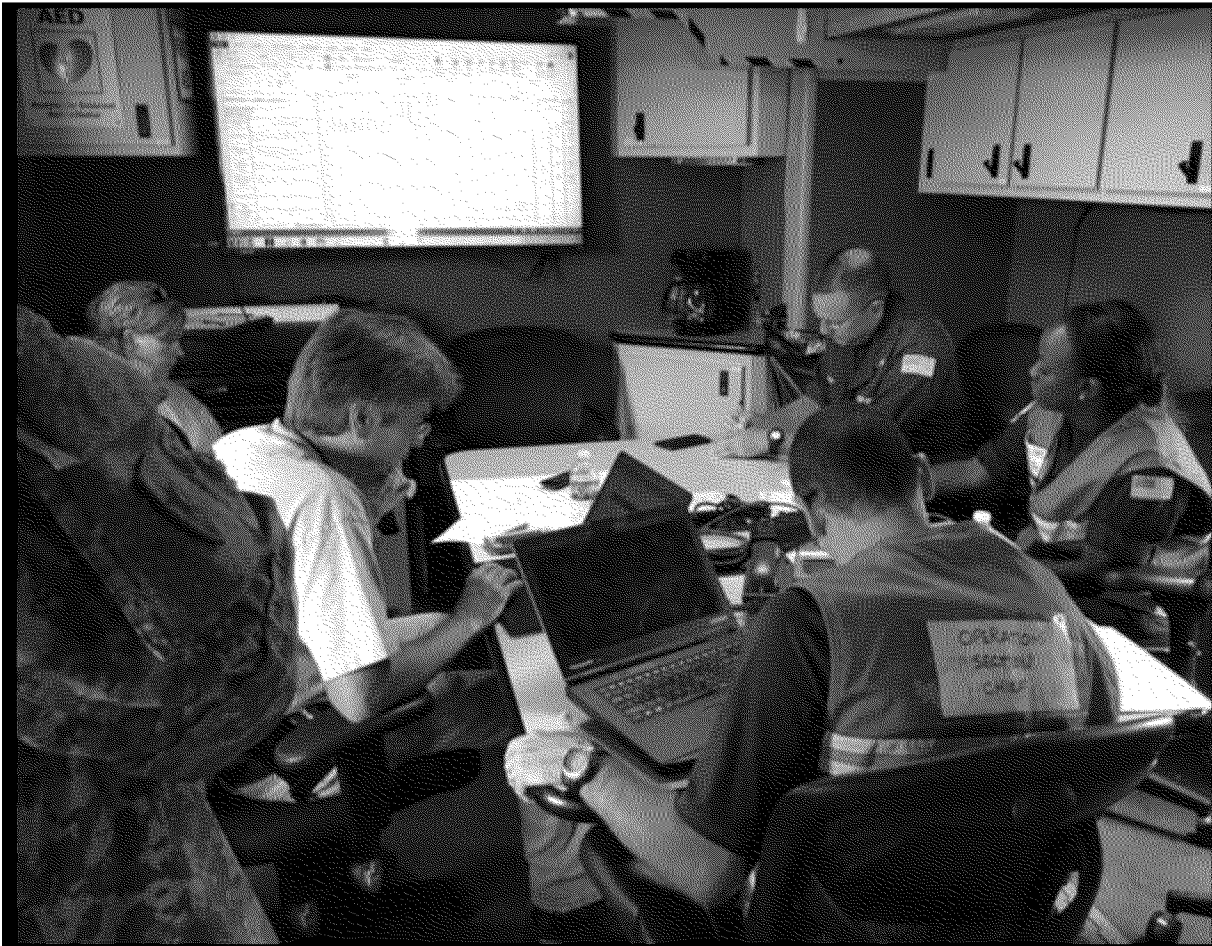


Superfund Sites within Federally Declared Counties					9/2/2017
Hurricane Harvey Rapid Response Assessment	Phase 1	Phase 2		Phase 3	All Phases
	Rapid Response Assessment	Site Inspection Needed	Inspected	Additional Response Action	Completed
TEXAS					
SITE NAME					
ALCOA (Point Comfort) / LAVACA BAY	8/29/17	No			8/29/2017
BAILEY WASTE DISPOSAL	9/1/17	Yes			
BRINE SERVICE CO.	8/30/17	Yes	8/30/17	No	8/30/2017
BRIO REFINING INC.	9/1/17	No			9/1/17
CONROE CREOSOTING COMPANY	9/1/17	No			9/1/17
CRYSTAL CHEMICAL CO.	8/30/17	No			8/30/17
DIXIE OIL PROCESSORS INC.	9/1/17	No			9/1/17
FALCON REFINERY	8/31/17	Yes	8/30/17	No	8/30/2017
FRENCH, LTD.	9/1/17	Yes			
GENEVA INDUSTRIES / FUHRMANN ENERGY	9/1/17	Yes			
GULFCO MARINE MAINTENANCE	9/1/17	Yes			
HARRIS (FARLEY STREET)	9/1/17	No			9/1/17
HART CREOSOTING	9/1/17	No			9/1/17
HIGHLANDS ACID PIT	9/1/17	Yes			
JASPER CREOSOTING	9/1/17	No			9/1/17
JONES ROAD GROUNDWATER PLUME	8/29/17	No			08/29/17
MALONE SERVICES COMPANY	9/1/17	Yes			
MANY DIVERSIFIED INTERESTS, INC	9/1/17	No			9/1/17
MOTCO, INC.	8/31/17	No			8/31/2017
NORTH CAVALCADE STREET	8/29/17	No			08/29/17
PALMER BARGE LINE	9/1/17	No			9/1/17
PATRICK BAYOU	9/1/17	Yes			
PETRO-CHEMICAL SYSTEMS, INC. (Turtle Bayou)	9/1/17	Yes			
SAN JACINTO RIVER WASTE PITS	9/1/17	Yes			
SIKES DISPOSAL PITS	8/29/17	No			08/29/17
SOL LYNN / INDUSTRIAL TRANSFORMERS	8/29/17	No			08/29/17
SOUTH CAVALCADE STREET	8/29/17	No			08/29/17
STAR LAKE CANAL	8/30/17	No			8/30/2017
STATE MARINE OF PORT ARTHUR	9/1/17	No			9/1/17
TEX-TIN CORP.	9/1/17	No			9/1/17
TRIANGLE CHEMICAL COMPANY	9/1/17	Yes			
UNITED CREOSOTING CO.	9/1/17	No			9/1/17
US OIL RECOVERY	9/1/17	Yes			
LOUISIANA					
AMERICAN CREOSOTE DERIDDER	09/01/17	No			9/1/17
D.L. MUD, INC.	08/29/17	No			08/29/17
EVR- WOOD TREATING/EVANGELINE REFINING C	09/01/17	No			9/1/2017
GULF COAST VACUUM SERVICES	08/29/17	No			08/29/17
GULF STATE UTILITIES (North Ryan Street)	08/31/17	No			8/31/2017
MALLARD BAY LANDING BULK PLANT	08/29/17	No			08/29/17
PAB OIL & CHEMICAL SERVICE	08/29/17	No			08/29/17
SBA SHIPYARD	09/01/17	No			9/1/17
Status Summary					
Rapid Response Assessment Completed	41				
Sites with no further action	30				
Sites in Phase 2	11				

FEMA – TEXAS COUNTIES WITH DISASTER DECLARATIONS



PHOTOS



Tactics Meeting on Sep 2nd 2017



Photos from the TCEQ/EPA Recon flight over Rockport/Fulton on Sep 1st 2017



Alpha Branch Team Three Special Ops. USCG and EPA Members discussing operations.

To: sooners7, adm[sooners7@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Sat 9/2/2017 12:56:03 PM
Subject: Morning update.
Update for 09022017_0800.pdf
ATT00001.txt



Tropical Storm Harvey 2017 9/2/2017 – 0800 CDT Update

TEXAS

ARKEMA FIRE

As of 8:00 am on September 2, 2017, three trailers reacted and caught fire at the Arkema facility. One fire occurred on August 31, 2017 and the second occurred on September 1, 2017. During the fire on September 1, 2017, EPA's ground air monitoring results outside of the exclusion zone were approximately 0.3 parts per million (ppm), below levels of health concern. The fire subsided by 6:30 pm and by 7:30 pm.

Additional Updates:

- ☐ Unified Command has determined that access to the facility is still unsafe and a 1.5-mile evacuation radius will remain in effect until further notice.
- ☐ Aerial reconnaissance photos indicate that flood waters within the facility have receded significantly.
- ☐ At the request of the local jurisdiction and Harris County Pollution Control, EPA collected surface water runoff samples downstream of the facility at 4 locations near a residential area. The samples are being analyzed by EPA's mobile laboratory.
- ☐ EPA will continue to maintain a 24-hr presence with air monitoring capabilities at the incident command operations center.
- ☐ Unified Command at the Arkema site continue to coordinate with the EPA Region 6 Environmental Unit to determine locations on the site where flood water samples should be collected.

BEAUMONT

The City of Beaumont's water system anticipates being at half capacity, ten million gallons per day, by noon September 2, 2017. The elevated storage tanks and groundwater tanks are mostly full and are currently valved-off until the system is brought back online. The City of Beaumont will be on a boil water notice when it goes on-line. EPA is maintaining contact with TCEQ and will provide assistance as requested.

The City has their Emergency Operations Center (EOC) fully functional and is coordinating efforts to make repairs and acquire chemicals and materials for both short-term and long-term.

FIELD RESPONSE ACTIVITIES

LOUISIANA

As of 6:00 pm ON September 2, 2017, the Louisiana State Emergency Operations Center (EOC) will no longer be fully activated. Only those agencies dealing with sheltering will be required to remain at the EOC. All other agencies are to remain on standby.

CORPUS CHRISTI

On September 1, 2017, EPA deployed two container recovery teams to collect orphaned containers where hazard evaluations have been completed. Six oil discharge assessment teams consisting of US Coast Guard and Texas General Land Office are conducting reconnaissance in the area. Four TCEQ water infrastructure teams are conducting drinking water and waste water assessments. Two teams are conducting air reconnaissance via helicopters.

Table 2. Drinking Water and Waste Water Assessments Performed on 9/1/2017

Status of Facility with On-Site Visit	# of Facilities
Loss of Power Not on Generator	2
On Generator Power	3
Inoperable	4
Operating	1
Out of Contact (No Response)	2

HOUSTON

Teams from the Houston Branch performed reconnaissance including 28 hazard evaluations and oil discharge assessments. This information will be prioritized for additional follow-up. On Saturday, September 2, 2017, EPA will send four additional Drinking Water/Wastewater Assessment Teams to Corpus Christi, and four Drinking Water/Wastewater Assessment Teams to Houston.

On September 1, 2017, the Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a waiver of hazardous materials regulations. The waiver applies to persons conducting operations under the direction of EPA Region 6 within the Hurricane and Tropical Storm disaster and emergency areas of Texas and Louisiana. The waiver is granted to support EPA in taking appropriate actions to prepare for, respond to, and recover from Hurricane and Tropical Storm Harvey.

SPILL/RELEASE RESPONSE

Hotline Calls as of September 1, 2017	
Number of Harvey Related Calls Received During Reporting Period 1300 to 0100 hr.	13
Total Number of Harvey Related Calls to Date	115
* EPA is assessing each call to determine appropriate response and forwarding reports to field personnel to conduct further assessments and response as needed.	

DRINKING WATER / WASTEWATER ASSESSMENTS

EPA continues to support TCEQ in contacting drinking water and waste water systems. EPA deployed 10 personnel to assist TCEQ's Drinking Water and Waste Water Phone Bank located in Austin.

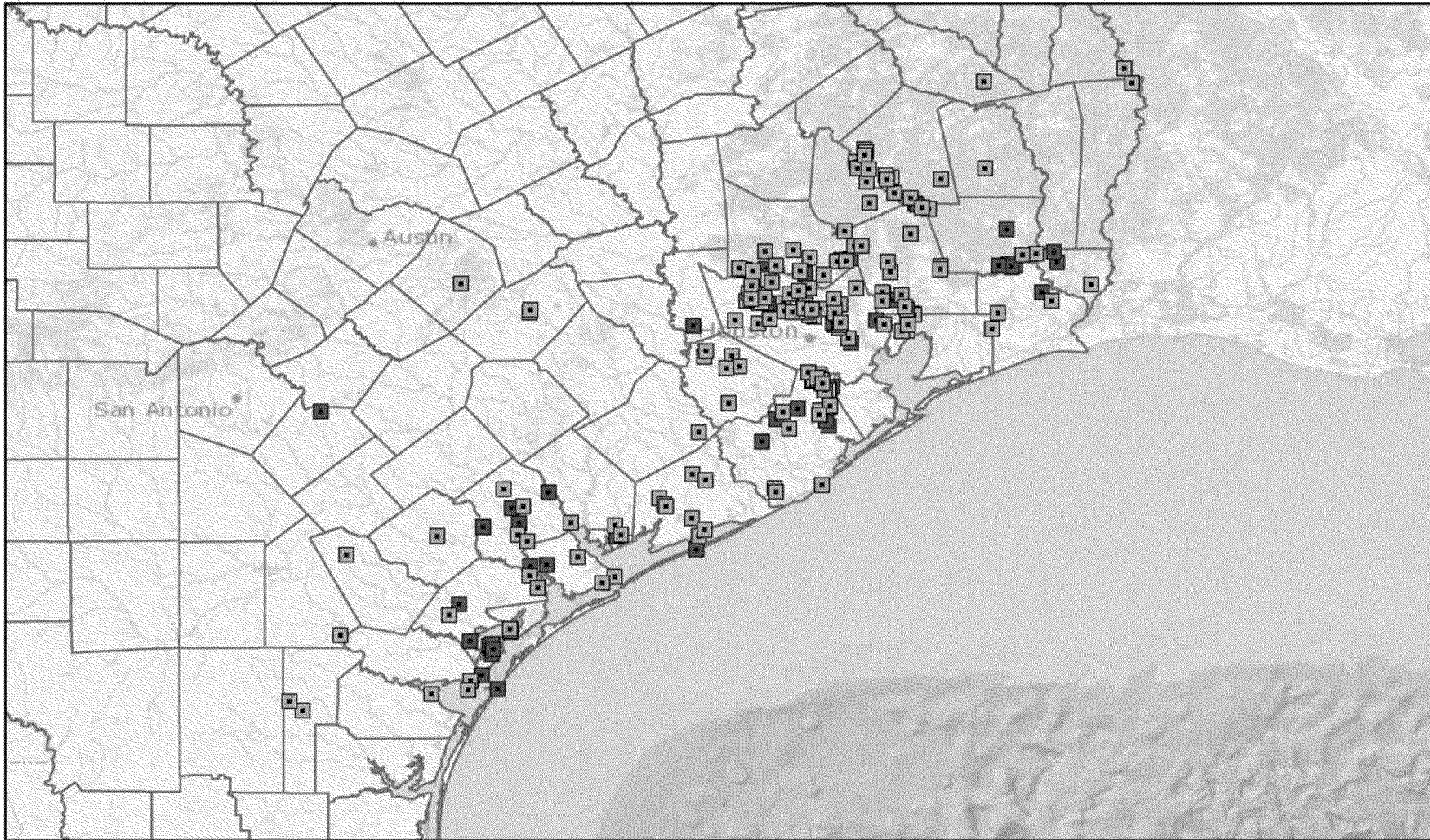
DW - Total # of Systems: 4512

STATUS	NUMBER OF SYSTEMS
Contact Pending	159
Bacteria Sample Results Pending	16
Out of Contact	16
On Generator – Lost Pressure	14
No problems	1435
On Generator – Never Lost Pressure	16
No Status	2680
Lost pressure & or Treatment	61
Lifted boil water notice due to negative bacteria samples. Normal Ops resumed	63
System Destroyed	2
Not Operating	50

WW - Total # of Systems: 2469

STATUS	NUMBER OF SYSTEMS
No Problems	1626
System Destroyed	2
Unknown	678
Waste Water Treat. Plant and/or Collection on Generator or bypass pumps for Lift Station	30

Waste Water Treat. Plant and/or Collection non operational no Sanitary Sewer Overflow	35
WWTP and/or Collection Partially Operational Sanitary Sewer Overflow	32
Site Visit Needed	1
Out of Contact - phone evaluation only	14
Contact Pending - Phone evaluation only	51

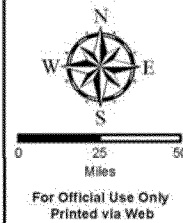


Legend

- Boiled Water Notices (173)
- Water Outage (49)

US EPA Region 6

Drinking Water Status Map 09/02/2017 - 0100

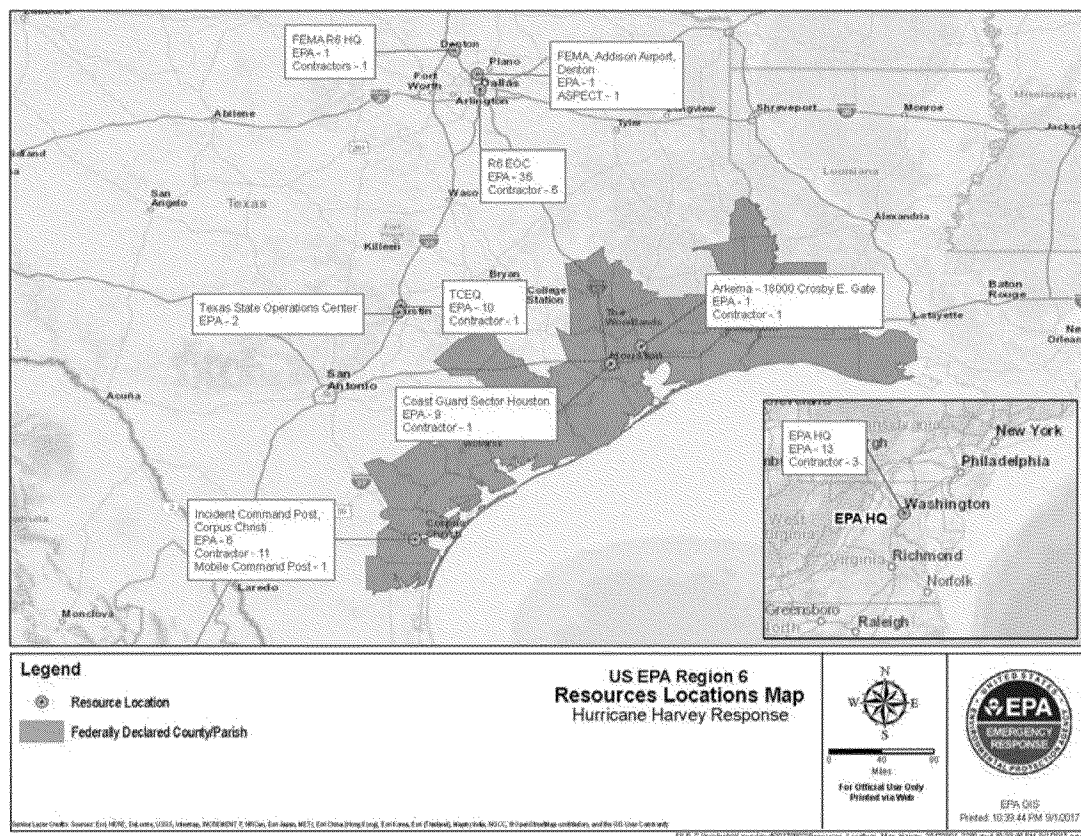


EPA GIS
Printed: 2:35:09 AM 9/2/2017

FILE: K:\START\VERTSHarvey\mxd\09022017\DrinkingWaterStatus_09022017.mxd 2:35:09 AM 9/2/2017 lathamj

RESOURCES

Personnel	EPA Dallas, TX	FEMA Denton, TX	Texas SOC Austin, TX	TCEQ Austin, TX	Houston, TX	Corpus Christi, TX	HQ EOC Wash DC	Totals
EPA	36	1	2	10	9	13	13	84
START	5			1	1	5		12
ERRS						6		6
Other Contractors	1						3	4
TOTAL	42	1	2	11	10	24	16	106



FUNDING

SEPTEMBER 1, 2017

Funding Sources	Funding Ceiling	Funding Ceiling Less Indirect	Spent to Date	Remaining Balance	Daily Burn Rate
Non Mission Assignment	N/A		\$64,200.00	\$0.00	
MA 4332DR-TX-EPA-01	\$20,000.00	\$17,654.00	\$0.00	\$17,654.00	
MA 4332DR-TX-EPA-03	\$8,592,000.00	\$7,584,077.00	\$1,759,127.00	\$5,824,950.00	\$90,233.84*
Totals:	\$8,612,000.00	\$7,601,731.00		\$7,601,731.00	

*Burn rate does not include daily ERRS amounts, not yet received. The burn does include START & ASPECT.

** Indirect costs represent the money the Cincinnati Shared Service Center takes off the top to manage the Mission Assignments

LABORATORY/ ANALYTICAL SERVICES

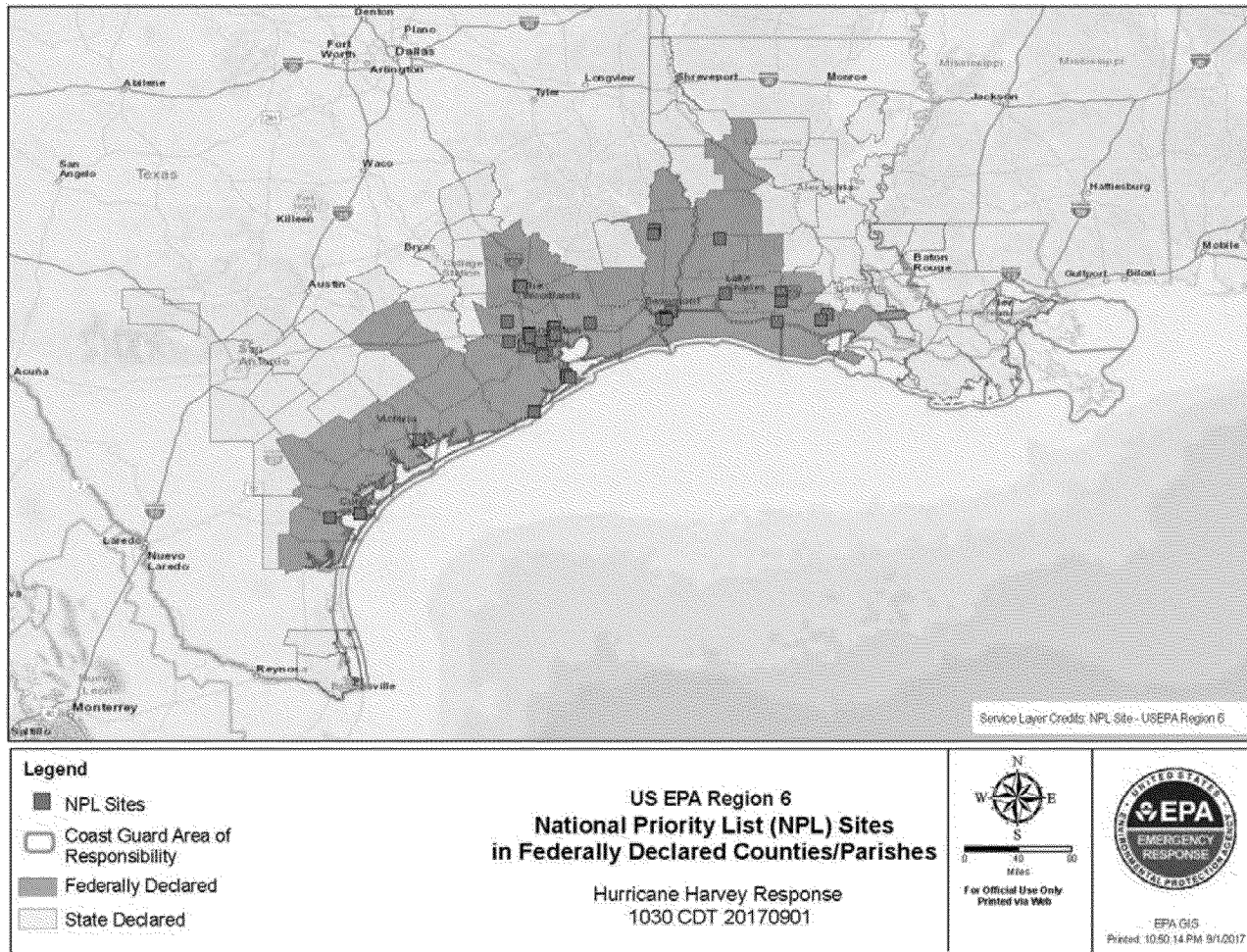
EPA's organic chemical mobile laboratory arrived in Houston, Texas on August 31, 2017. The mobile laboratory can be utilized to process environmental samples.

REFINERIES/FUELWAIVERS

1. TEXAS: EPA approved the State of Texas' request to extend the Texas fuel waiver to allow use of non-road diesel fuel in on-road applications. This non-road fuel has different tax treatment, and to differentiate it, is colored with red dye. The Internal Revenue Service (IRS) issued a waiver of the dyed diesel fuel penalty through September 15, 2017. The IRS will not impose a penalty when dyed diesel fuel is sold for use or used on the highway.
2. LOUISIANA: A waiver that would allow use of 9.0lb. RVP was approved on 28 August. LDEQ thanked EPA, R6 and Department of Energy for the quick turnaround and assistance this week. On September 1, 2017 the Governor of Louisiana requested a No Action Assurance from the EPA Region 6 Acting Regional Administrator. According to Louisiana this in order to facilitate the delivery of fuels to areas of Louisiana and Texas impacted by the hurricane, the Louisiana Department of Environmental Quality (LDEQ), on behalf of Governor John Bel Edwards, respectfully requests that EPA provide a "no action assurance" to allow for the use of tank trucks, railcars, and marine tank vessels that may not have the requisite vapor tightness documentation necessary to load gasoline and other petroleum products at Louisiana facilities.

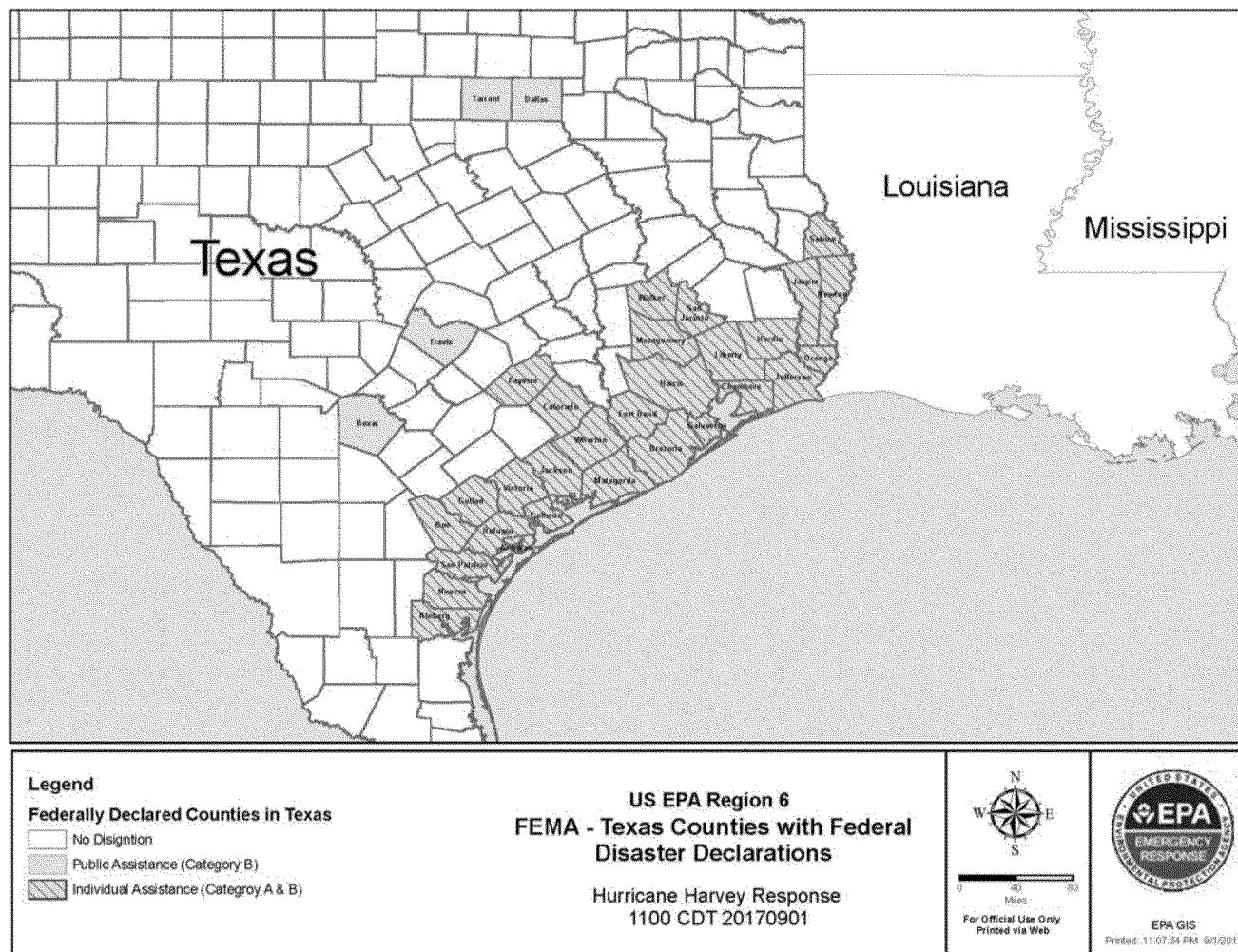
3. OKLAHOMA: A statewide low Reid Vapor Pressure (RVP) fuel waiver request was submitted on August 28, 2017, and amended their request on August 30 expanding 11.5 RVP waiver nationwide.
4. ARKANSAS: The State is drafting a waiver request to temporarily waive the requirement for low 9.0lb RVP fuel.
5. On August 30th, EPA issue a waiver for the temporary use of 11.5 PSI RVP gasoline in the following states: Alabama, Georgia, Kentucky, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, Texas, Louisiana, Florida and the District of Columbia. For Texas and Louisiana, it expands the waiver coverage area from the earlier waiver granted.
6. EPA issued a waiver for 38 states and the District of Columbia of all low volatility gasoline requirements in any State Implementation Plan that applies in the designated states. This waiver now includes all five Region 6 states: Arkansas, Louisiana, New Mexico, Oklahoma and Texas. The waiver for El Paso, Texas goes until September 16, 2017 due to their State Implementation Plan requirements.

SUPERFUND NPL SITES



No NPL site status updates are expected until Tuesday September 4, 2017.

FEMA – TEXAS COUNTIES WITH DISASTER DECLARATIONS



NPL SITE STATUS UPDATE

EPA has inspected and cleared the Brine Service Company and the Falcon Refinery Sites and no new updates will be available until Tuesday.

Superfund Sites within Federally Declared Counties			9/2/2017
Status Summary			
TEXAS			
SITE NAME	Inspected	Offsite Release	Onsite Damage
BRINE SERVICE CO.	8/30/17	No	No
FALCON REFINERY	8/30/17	No	No
ALCOA (Point Comfort) / LAVACA BAY			
BAILEY WASTE DISPOSAL			
BRIO REFINING INC.			
CONROE CREOSOTING COMPANY			
CRYSTAL CHEMICAL CO.			
DIXIE OIL PROCESSORS INC.			
FRENCH, LTD.			
GENEVA INDUSTRIES / FUHRMANN ENERGY			
GULFCO MARINE MAINTENANCE			
HARRIS (FARLEY STREET)			
HART CREOSOTING			
HIGHLANDS ACID PIT			
JASPER CREOSOTING			
JONES ROAD GROUNDWATER PLUME			
MALONE SERVICES COMPANY			
MANY DIVERSIFIED INTERESTS, INC			
MOTCO, INC.			
NORTH CAVALCADE STREET			
PALMER BARGE LINE			
PATRICK BAYOU			
PETRO-CHEMICAL SYSTEMS, INC. (Turtle Bayou)			
SAN JACINTO RIVER WASTE PITS			
SIKES DISPOSAL PITS			
SOL LYNN / INDUSTRIAL TRANSFORMERS			
SOUTH CAVALCADE STREET			
STAR LAKE CANAL			
STATE MARINE OF PORT ARTHUR			
TEX-TIN CORP.			
US OIL RECOVERY			
TRIANGLE CHEMICAL COMPANY			
UNITED CREOSOTING CO.			

Superfund Sites within Federally Declared Counties				9/2/2017
Status Summary				
LOUISIANA				
AMERICAN CREOSOTE DERIDDER				
D.L. MUD, INC.				
EVR-WOOD TREATING/EVANGELINE REFINING COMPANY				
GULF COAST VACUUM SERVICES				
GULF STATE UTILITIES (North Ryan Street)				
MALLARD BAY LANDING BULK PLANT				
SBA SHIPYARD				
PAB OIL & CHEMICAL SERVICE				

PHOTOS



Command and General Staff Meeting in Corpus Christi, TX



EPA Command Post – Corpus Christi, TX

To: sooners7, adm[sooners7@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Fri 9/1/2017 10:39:44 PM
Subject: Evening Update
9-1-1 71700 2.0Update Draft.docx

Attached is an evening update for Harvey.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ryan Jackson

Chief of Staff

U.S. Environmental Protection Agency

Ex. 6 - Personal Privacy

To: sooners7, adm[sooners7@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Thur 8/31/2017 11:57:39 PM
Subject: RE: Evening update

What if we emailed Kelly this:

EPA

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Jackson, Ryan

Sent: Thursday, August 31, 2017 7:25 PM

To: sooners7, adm <sooners7@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Subject: Evening update

I'm behind on getting something directly to GEN Kelly from you. Do you already have his contact information?

Ryan Jackson

Chief of Staff

U.S. Environmental Protection Agency

Ex. 6 - Personal Privacy



Tropical Storm Harvey 2017 8/31/2017 – 1700 CDT Update

HIGHLIGHTS

Texas

Arkema is reported as of 4:30 pm that three additional peroxide trailers are close to Self-Accelerating Decomposition Temperature (SADT). The three trailers nearing SADT are reportedly within thirty feet of each other. Region 6 continues to work with Interagency Modeling Atmospheric Assessment Center on modeling of anticipated future releases at the site. The modeling products are being delivered to Unified Command.

Poison Control Centers are set up in Texas to help citizens who have health concern questions concerning the Arkema facility, as well as any other flood related health questions.

Region 6 is coordinating with counterparts in Beaumont/Port Arthur, Texas in charge of potential response activities including the Texas Commission on Environmental Quality (TCEQ) in Beaumont, the Texas General Land Office in Nederland, and the U.S. Coast Guard in Port Arthur. All agencies are limited in their ability to conduct assessments due to the flood waters that continue to rise. Flood waters are predicted to crest over the weekend and response partners plan to initiate Rapid Needs and Shoreline assessments next week. The USCG has not observed oil or hazardous materials releases during rescue operations in the area. If the area is accessible, EPA, TGLO, and TCEQ will establishment of a Unified Command near the USCG office in Port Arthur, Texas.

On August 31, 2017, the EPA representative at the FEMA's Regional Response Coordination Center reported that the City of Beaumont is out of potable water. The drinking water system's pumps are underwater and not functional.

Louisiana

The EPA Regional Emergency Operations Center Liaison for the State of Louisiana, is reporting that the Louisiana Department of Environmental Quality (LDEQ) does not currently have any environmental emergencies resulting from the Hurricane Harvey rainfall. To date, LDEQ has not set up its IMT and does not plan to unless something significantly changes. LDEQ is making calls associated with some waste

water treatment plants in the area. The main focus for Louisiana at this point is supporting individuals evacuating from impacted areas in Texas. EPA continues to monitor the situation in Louisiana and stay in close communication with LDEQ.

Resources

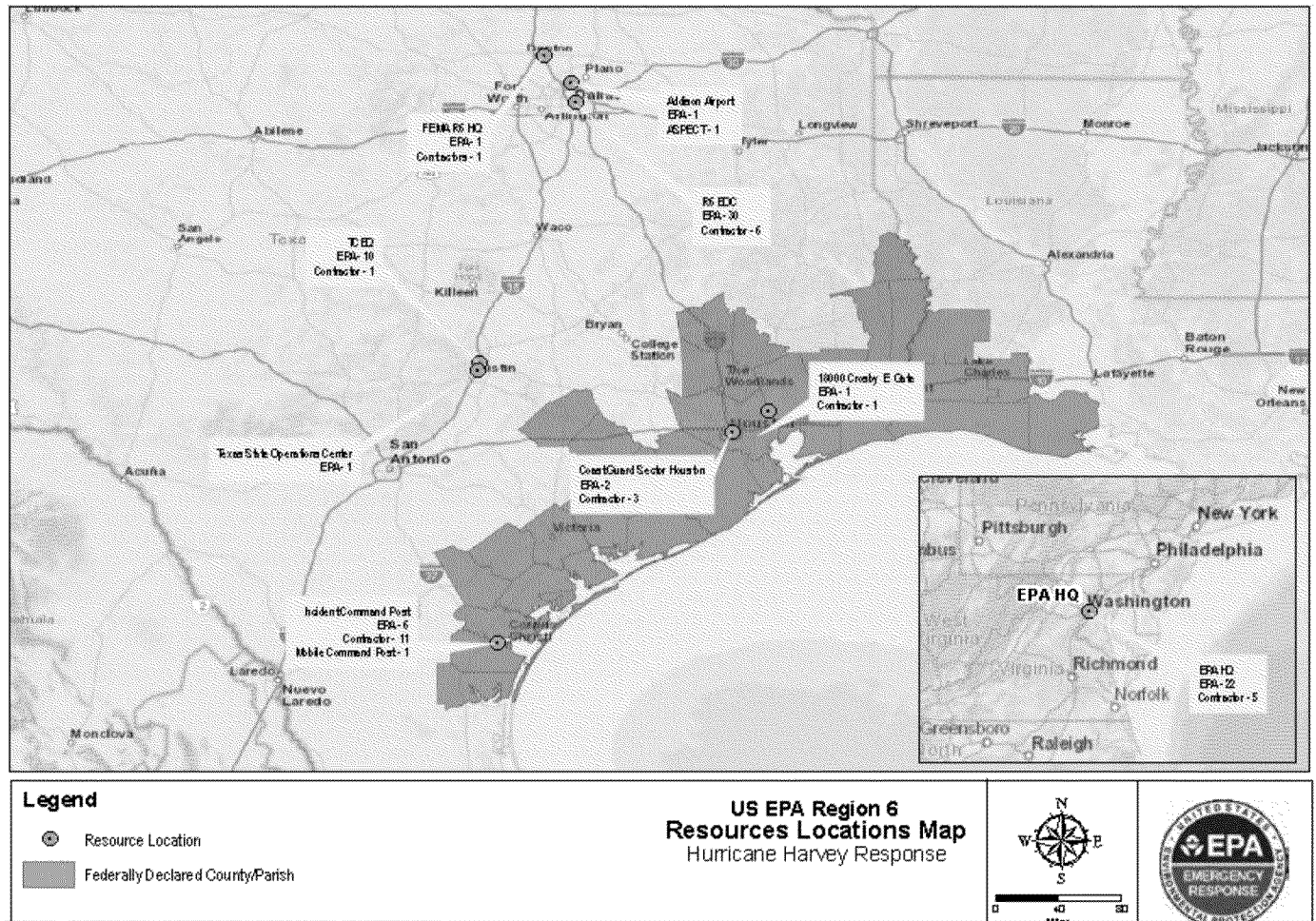
Personnel	EPA Dallas, TX	FEMA Denton, TX	Texas SOC Austin, TX	TCEQ Austin, TX	Houston, TX	Corpus Christi, TX	HQ EOC Wash DC	Totals
EPA	30	1	1	10	2	6	22	72
START	5			1	3	5		14
ERRS						6		6
Other Contractors	1						5	6
TOTAL	36	1	1	11	5	17	27	98

*Additional personnel who are in transit may not be reflected in resource table.

On August 31, 2017, EPA deployed four teams made up of On Scene Coordinators and contractors to Houston to coordinate with TCEQ, TGLO, and US Coast Guard and begin responding to releases and spills at facilities. The teams will conduct rapid needs assessments, oil assessments, and hazards evaluations. These teams are scheduled to begin sampling the flood water on Saturday September 2, 2017. The flood water will be analyzed for volatiles, semi-volatiles, pesticides, Polychlorinated Biphenyls (PCBs), and Total Analyte Metals (TALs).

EPA is deploying four teams of On Scene Coordinators and contractors to Beaumont-Port Arthur to coordinate with TCEQ, TGLO, and US Coast Guard in responding to releases and spills at facilities. These teams will stage in Houston until weather allows them to enter the Beaumont-Port Arthur area.

On Saturday, September 2, 2017, EPA will send four additional Drinking Water/Wastewater Assessment Teams to Corpus Christi, and four Drinking Water/Wastewater Assessment Teams to Houston.



Spill/Release Response

Hotline Calls as of August 31, 2017	
Number of Harvey Related Calls Received During Reporting Period 0100 and 1300 hrs	9
Total Number of Harvey Related Calls to Date	63

On August 31, 2017 the Unified Command has five teams in the field conducting reconnaissance. The teams consist of personnel from TCEQ, Civil Support Team (CST), EPA, and a USCG. These teams are conducting hazard evaluations of orphaned containers found during field reconnaissance in Corpus Christi. An additional twelve teams consisting of USCG and TCEQ were deployed to Houston to conduct hazard evaluations of orphaned containers found during field reconnaissance. Evaluations are used to determine actions needed to stabilize or remove items in the future. One TCEQ water infrastructure team is conducting water system assessments in the Corpus Christi area.

The Conoco Phillips facility in Cuero, Texas reported a 316-barrel oil spill due to Hurricane Harvey. The spill impacted Denton Creek. This was originally reported on August 29, 2017. On August 31, 2017, Conoco Phillips indicated that they cannot drive to the facility. The Texas Railroad Commission and USCG drove as close to the facility as they could yesterday. No sheen of oil was observed, but the water flowed at a good pace. Waters are receding in the area and personnel will likely be able to access the facility to better assess the release and perform a response in the next day or so. Conoco Phillips is updating their release totals to 385 barrels of oil and 76-barrel produced water since the tanks are on their side.

EPA Emergency Response Assets

ASPECT is making multiple overflights of the Arkema facility. Preliminary indications from the onboard infrared monitoring instruments indicate peroxide emissions. These detections were made about 200 meters downwind of the plant.

Quality Assurance Sampling Plans (QASP)

Regional Emergency Operations Center Environmental Unit (EU) members have incorporated Headquarters Emergency Operations Center (HQ EOC) comments into the EPA QASP for surface /flood water. As of August 31, 2017 the surface/flood water QASP is going through the approval process. The EU is incorporating HQ EOC comments into the QASP for dirt. These sampling plans have been created to address public health concerns regarding possible contaminants found in storm water and soil that was displaced during the storm.

Drinking Water / Wastewater Assessments

One Water Infrastructure team consisting of two TCEQ staff are assessing systems based on information developed by the TCEQ/EPA call bank in Austin, TX. Additional EPA Region 6 Water

Team members are prepared to deploy to Corpus Christi once lodging is established.

EPA continues to support TCEQ in contacting drinking water and waste water systems. EPA deployed 10 personnel to assist TCEQ's Drinking Water and Waste Water Phone Bank located in Austin, Texas on August 28, 2017.

Drinking Water - Total # of Systems: 4512

STATUS	NUMBER OF SYSTEMS
Contact Pending	202
Bacteria Sample Results Pending	5
Out of Contact	21
On generator – lost pressure	7
No problems	421
On generator – never lost pressure	19
No Status	3750
Lost pressure & or Treatment	39
Site visit needed	1
Lifted boil water notice due to negative bacteria samples. Normal Ops resumed	10
Not Operating	37

Waste Water - Total # of Systems: 2467

STATUS	NUMBER OF SYSTEMS
Contact Pending - Phone evaluation only	52
Out of Contact - phone evaluation only	5
No Problems	402
No Status	1942
Waste Water Treat. Plant and/or Collection on Generator or bypass pumps for Lift Station	24
Waste Water Treat. Plant and/or Collection non-operational no Sanitary Sewer Overflow	27
WWTP and/or Collection Partially Operational Sanitary Sewer Overflow	15

EPA Laboratory/ Analytical Services

The Houston laboratory will be closed until Tuesday September 5, 2017. The laboratory and office building are not damaged. EPA has back up capabilities for laboratory services should the Houston facility remain closed.

EPA's organic chemical mobile laboratory arrived in San Antonio, Texas on August 31, 2017. The mobile laboratory can be utilized to process environmental samples.

Data Management

Continue to support operations in Corpus Christi and the Houston/Crosby area. Continue to coordinate with and support the TCEQ/EPA Drinking Water and Waste Water teams with their assessment operations. Continue to work with the PIO on a public information strategy that shows EPA resources deployed and the status of NPL Sites in the impacted areas.

Communications

Under a FEMA Mission Assignment, EPA deployed a Public Affairs Officer to the ESF-15 Joint Information Center in Austin. The EPA Public Information Unit in Dallas is fully operational and supported by a Public Information Assistance Team (PIAT). An EPA PIO is also in Corpus Christi to support operations at the ESF-10 Unified Command.

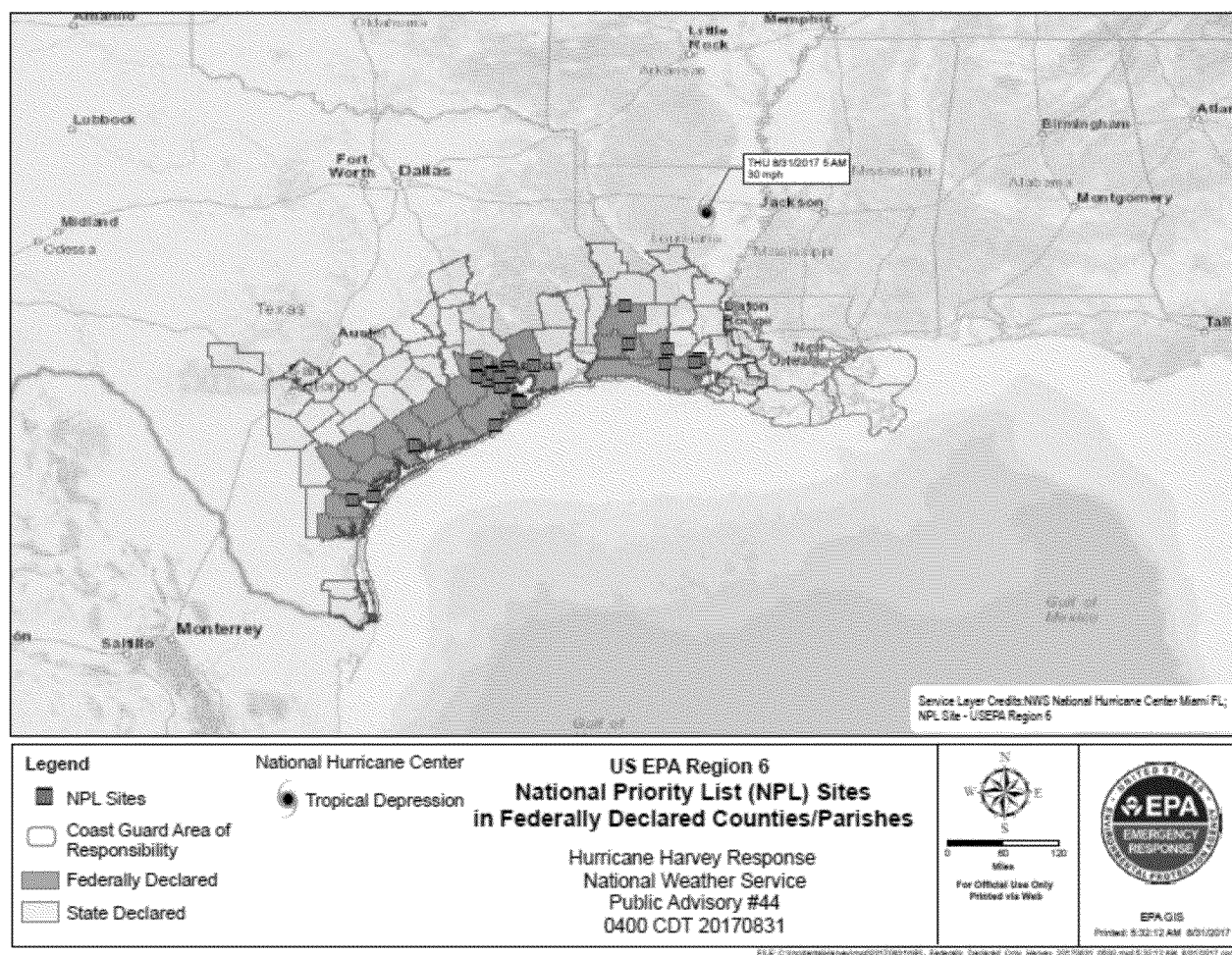
Refineries/Fuel Waivers

1. TEXAS: EPA approved the State of Texas' request to extend the Texas fuel waiver to allow use of non - road diesel fuel in on - road applications. This non - road fuel has different tax treatment, and to differentiate it, is colored with red dye. The Internal Revenue Service (IRS) issued a waiver of the dyed diesel fuel penalty through September 15, 2017. The IRS will not impose a penalty when dyed diesel fuel is sold for use or used on the highway.
2. LOUISIANA: A waiver that would allow use of 9.0lb. RVP was approved on 28 August. LDEQ thanked EPA, R6 and Department of Energy for the quick turnaround and assistance this week
3. OKLAHOMA: A statewide low Reid Vapor Pressure (RVP) fuel waiver request was submitted on August 28, 2017, and amended their request on August 30 expanding 11.5 RVP waiver nationwide.
4. ARKANSAS: The State is drafting a waiver request to temporarily waive the requirement for low 9.0lb RVP fuel.
5. On August 30th, EPA issue a waiver for the temporary use of 11.5 PSI RVP gasoline in the following states: Alabama, Georgia, Kentucky, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, Texas, Louisiana, Florida and the District of Columbia. For Texas and Louisiana, it expands the waiver coverage area from the earlier waiver granted.
6. EPA issued a waiver for 38 states and the District of Columbia of all low volatility gasoline requirements in any State Implementation Plan that applies in the designated states. This waiver now includes all five Region 6 states: Arkansas, Louisiana, New Mexico, Oklahoma and Texas. The waiver for El Paso, Texas goes until September 16, 2017 due to their State Implementation Plan requirements.

Funding

Funding Sources	Funding Ceiling	Spent to Date	Remaining Balance	Daily Burn Rate
Non Mission Assignment	N/A	\$64,200.00	\$0.00	
MA 4332DR-TX-EPA-01	\$20,000.00	\$0.00	\$20,000.00	
MA 4332DR-TX-EPA-03	\$8,592,000.00	\$75,864.86	\$8,516,135.14	\$37,932.43
Totals:	\$8,612,000.00	\$75,864.86	\$8,536,135.14	

Superfund NPL Sites



Superfund Sites within Federally Declared Counties			8/31/2017
	Status Summary		
TEXAS			
SITE NAME	Inspected	Offsite Release	Onsite Damage
BRINE SERVICE CO.	8/30/17	No	No
FALCON REFINERY	8/30/17	No	No
ALCOA (Point Comfort) / LAVACA BAY			
BRIO REFINING INC.			
CRYSTAL CHEMICAL CO.			
DIXIE OIL PROCESSORS INC.			
FRENCH, LTD.			
GENEVA INDUSTRIES / FUHRMANN ENERGY			
GULFCO MARINE MAINTENANCE			
HARRIS (FARLEY STREET)			
HIGHLANDS ACID PIT			
JONES ROAD GROUNDWATER PLUME			
MALONE SERVICES COMPANY			
MANY DIVERSIFIED INTERESTS, INC			
MOTCO, INC.			
NORTH CAVALCADE STREET			
PATRICK BAYOU			
PETRO-CHEMICAL SYSTEMS, INC. (Turtle Bayou)			
SAN JACINTO RIVER WASTE PITS			
SIKES DISPOSAL PITS			
SOL LYNN / INDUSTRIAL TRANSFORMERS			
SOUTH CAVALCADE STREET			
TEX-TIN CORP.			
US OIL RECOVERY			
LOUISIANA			
AMERICAN CREOSOTE DERIDDER			
GULF STATE UTILITIES (North Ryan Street)			
MALLARD BAY LANDING BULK PLANT			
SBA SHIPYARD			
PAB OIL & CHEMICAL SERVICE			
GULF COAST VACUUM SERVICES			
D.L. MUD, INC.			

To: sooners7, adm[sooners7@epa.gov]
From: Ferguson, Lincoln
Sent: Thur 8/31/2017 6:42:10 PM
Subject: Fwd: EPA Talking Points re: Harvey, August 31st 2 p.m. Central

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: August 31, 2017 at 1:29:09 PM CDT
To: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Dravis, Samantha" <dravis.samantha@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>
Subject: EPA Talking Points re: Harvey, August 31st 2 p.m. Central

TROPICAL STORM HARVEY TALKING POINTS

August 31, 2017

EPA TOPLINE:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

To: sooners7, adm[sooners7@epa.gov]
From: Ferguson, Lincoln
Sent: Mon 8/28/2017 2:16:31 PM
Subject: Fwd: EPA Morning News Highlights 8.28.17
[EPA Morning News Highlights 8.28.17.docx](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "Hewitt, James" <hewitt.james@epa.gov>
To: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>, "Dravis, Samantha" <dravis.samantha@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "McMurray, Forrest" <mcmurray.forrest@epa.gov>, "Morris, Madeline" <morris.madeline@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: EPA Morning News Highlights 8.28.17

EPA Morning News Highlights 8.28.17

-

The National Law Review: EPA Ready to Support FEMA, State Efforts on Hurricane Harvey

EPA has an organized emergency response program for responding to man-made and natural disasters and is positioned to support the Federal Emergency Management Agency (FEMA), state, local, and tribal partners in response to Hurricane Harvey. "I am in regular contact with EPA Region 6 and want to commend them for their leadership and preparation," said EPA Administrator Scott Pruitt. "EPA is closely coordinating with state and regional partners, and we have teams standing by to support FEMA. EPA is ready to respond to anything that may occur due to Hurricane Harvey."

Reuters: U.S. EPA issues 2nd fuel waiver as Harvey threatens to cause shortages

The U.S. Environmental Protection Agency on Saturday lifted some additional gasoline and diesel fuel requirements for Texas to address potential shortages resulting from Tropical

Storm Harvey. The move removes restrictions on Texas that mandate the use low volatility fuel and low emission diesel, a spokeswoman said on Twitter.

The Houston Chronicle: EPA issues emergency waiver to combat fuel shortage from Hurricane Harvey

The U.S. Environmental Protection Agency announced late Friday it was waiving environmental standards on fuel, "to address shortages resulting from Hurricane Harvey." "Extreme and unusual fuel supply circumstances exist in portions of Texas as a result of the hurricane," the agency said. EPA Administrator Scott Pruitt, "has granted a temporary waiver to help ensure an adequate supply of gasoline is available in the affected areas until normal supply to the region can be restored." As the Chronicle reported Friday: Some gas stations are running out of fuel - at least temporarily - as Hurricane Harvey moves closer to landfall.

-

National Morning News Highlights 8.28.17

-

The Associated Press: Rescuers pluck hundreds from rising floodwaters in Houston

Harvey sent devastating floods pouring into the nation's fourth-largest city Sunday as rising water chased thousands of people to rooftops or higher ground and overwhelmed rescuers who could not keep up with the constant calls for help. The incessant rain covered much of Houston in turbid, gray-green water and turned streets into rivers navigable only by boat. In a rescue effort that recalled the aftermath of Hurricane Katrina, helicopters landed near flooded freeways, airboats buzzed across submerged neighborhoods and high-water vehicles plowed through water-logged intersections. Some people managed with kayaks or canoes or swam.

Reuters: FEMA expects more than 450,000 Harvey disaster victims to file for assistance

U.S. emergency management officials said on Monday they were committed to getting federal resources to Texas as quickly as possible to help with the flooding caused by Tropical Storm Harvey, with more than 450,000 people likely to seek assistance. Federal Emergency Management Agency Administrator Brock Long said more than 30,000 people were expected to be placed temporarily in shelters after the storm made landfall over the weekend. A disaster declaration request from the Louisiana governor would also likely be expedited, he added.

USA Today: Trump expected to lift ban on military gear to local police forces

The Trump administration is preparing to lift a controversial ban on the transfer of some surplus military equipment to police departments whose battlefield-style response to rioting in a St. Louis suburb three years ago prompted a halt to the program. The new plan, outlined in documents obtained by USA TODAY, would roll back an Obama administration executive order that blocked armored vehicles, large-caliber weapons, ammunition and other heavy equipment from being re-purposed from foreign battlefields to America's streets.

Bloomberg: Trump's Pivot to Taxes Is Fraught With 'Pitfalls Everywhere'

President Donald Trump is planning to kick off one of the most important sales pitches of his presidency this week -- getting Americans fired up about rewriting the U.S. tax code. But there's no plan to sell. Basic questions remain unanswered. Will the changes be permanent or temporary? How will individual tax brackets be set? What rate will corporations and small businesses pay? Instead of providing details that could help build support for a bill, the president will largely rely on the same talking points he and his advisers have highlighted since January: The middle class deserves a tax cut and businesses need changes to help them compete with global rivals.

EPA HURRICANE SOCIAL MEDIA POSTS

TRUMP TWEETS

The National Law Review

<https://www.natlawreview.com/article/epa-ready-to-support-fema-state-efforts-hurricane-harvey>

EPA Ready to Support FEMA, State Efforts on Hurricane Harvey

By NLR Staff, 8/27/17

EPA has an organized emergency response program for responding to man-made and natural disasters and is positioned to support the Federal Emergency Management Agency (FEMA), state, local, and tribal partners in response to Hurricane Harvey.

“I am in regular contact with EPA Region 6 and want to commend them for their leadership and preparation,” said EPA Administrator Scott Pruitt. “EPA is closely coordinating with state and regional partners, and we have teams standing by to support FEMA. EPA is ready to respond to anything that may occur due to Hurricane Harvey.”

EPA headquarters emergency operations center is monitoring the storm closely and making preparations to activate in order to support states and regions affected by the storm.

EPA’s Region 6 office in Dallas is taking action to ensure that Superfund sites are secured in advance of the storm, to assist approximately 300 public drinking water system rapid assessments, and to seamlessly integrate emergency response activities with Texas, Louisiana, and other federal response agencies.

EPA supports hurricane preparedness and response in a number of ways, including:

- **Addressing Fuel Shortages:** The Clean Air Act allows EPA Administrator Pruitt, in consultation with Energy Secretary Perry, to waive certain fuel requirements to address shortages that occur as a result of the storm. If Administrator Pruitt determines that extreme and unusual fuel supply circumstances exist in a state or region as a result of the hurricane, a temporary waiver can help ensure an adequate supply of gasoline is available in the affected area, particularly for emergency vehicles. EPA has an experienced team standing by to expedite handling of any fuel waiver requests by the states.
- **Monitoring Public Water Systems:** Water systems can be severely impacted during hurricanes due to storm surge, flooding, or loss of power. EPA Region 6 has developed a tracking system for us to identify systems in the storm’s pathway. About 300 public drinking water systems are in the path (red zone) of hurricane Harvey in Texas. Both Texas Commission on Environmental Quality and Louisiana Department of Hospitals have uploaded their potentially impacted systems into Response Manager, which enables planning for rapid assessments to restore water systems after the storm passes and flood waters recede. Following the storm, and if the state requests federal assistance, EPA

conducts damage assessments of both drinking water and wastewater systems to identify impacts to critical assets and assist in the recovery.

- **Securing Superfund Sites:** EPA assesses conditions at the NPL Superfund sites in the storm's pathway and tasks each Superfund National Priorities List (NPL) remedial site manager to assess conditions and make on-site preparations for high winds and heavy rainfall. Following the storm and receding floodwaters, EPA conducts rapid assessments to identify damage at sites and initiate cleanup plans if necessary. Any on-site activities at sites located in the storm's path are ceased until the all clear is given and on-site equipment is secured. In addition, freeboard for lagoons or ponds is increased to accommodate forecasted rainfall if possible. After a hurricane makes landfall and any flooding recedes, the EPA remedial managers will conduct assessments of each Superfund NPL site to ensure no damage has occurred.

- **Assessing Conditions at Major Industrial Facilities:** EPA assesses conditions at the major industrial facilities in the storm's pathway to identify potential impacts and countermeasures. Following the storm and receding floodwaters, spills and releases are reported to the National Response Center. NRC notifies US Coast Guard or EPA based on preapproved jurisdiction boundaries. EPA conducts follow up inspections and damage assessments in response to reports within EPA jurisdiction.

As EPA prepares to support FEMA and its local and state partners, it continues to focus its message on the importance of public safety. For information and updates from EPA, please visit EPA's emergency response website, www.response.epa.gov/Hurricaneharvey2017.

Reuters

<https://www.cnn.com/2017/08/26/reuters-america-u-s-epa-issues-2nd-fuel-waiver-as-harvey-threatens-to-cause-shortages.html>

U.S. EPA issues 2nd fuel waiver as Harvey threatens to cause shortages

By Devika Krishna Kumar and Valerie Volcovici, 8/26/17

The U.S. Environmental Protection Agency on Saturday lifted some additional gasoline and diesel fuel requirements for Texas to address potential shortages resulting from Tropical

Storm Harvey.

The move removes restrictions on Texas that mandate the use low volatility fuel and low emission diesel, a spokeswoman said on Twitter.

The Houston Chronicle

<http://www.chron.com/business/energy/article/EPA-waives-fuel-standards-to-combat-gas-shortages-11969300.php>

EPA issues emergency waiver to combat fuel shortage from Hurricane Harvey

By The Houston Chronicle Staff, 8/26/17

The U.S. Environmental Protection Agency announced late Friday it was waiving environmental standards on fuel, "to address shortages resulting from Hurricane Harvey."

"Extreme and unusual fuel supply circumstances exist in portions of Texas as a result of the hurricane," the agency said.

EPA Administrator Scott Pruitt, "has granted a temporary waiver to help ensure an adequate supply of gasoline is available in the affected areas until normal supply to the region can be restored."

As the Chronicle reported Friday:

Some gas stations are running out of fuel - at least temporarily - as Hurricane Harvey moves closer to landfall.

In the Houston area, some of the outages include fueling stations in Katy, Sugar Land and The Woodlands as people wait in long lines to fill up their tanks before Harvey arrives, according to data available at GasBuddy's tracker.gasbuddy.com.

Prices already are rising as Corpus Christi refineries shut down, and fuel costs could spike by as much as 25 cents a gallon within the next week or so, said Patrick DeHaan, GasBuddy senior petroleum analyst. The Houston-area average was still about \$2.12 for a gallon of regular unleaded gasoline as of Friday morning.

The larger spikes will only occur if refineries also shut down in the Houston and Galveston areas, he said.

"The buck stops with Houston." Much unethical - or illegal - price gouging is unlikely though, he said. "Usually, gas stations have a lot of eyes on them," DeHaan said. "If it happens, it's usually just a few bad apples."

The waiver extends through Sept. 15 and applies to any county declared a disaster area by Governor Greg Abbott.

"EPA is continuing to actively monitor the fuel supply situation as a result of Hurricane Harvey, and is ready to act expeditiously if extreme and unusual supply circumstances exist in other areas," the agency said.

The Associated Press

<https://apnews.com/1be70a05bd0848c9aba361ab509d0fce/Rescuers-pluck-hundreds-from-rising-floodwaters-in-Houston>

Rescuers pluck hundreds from rising floodwaters in Houston

By Michael Graczyk, 8/28/17

Harvey sent devastating floods pouring into the nation's fourth-largest city Sunday as rising water chased thousands of people to rooftops or higher ground and overwhelmed rescuers who could not keep up with the constant calls for help.

The incessant rain covered much of Houston in turbid, gray-green water and turned streets into rivers navigable only by boat. In a rescue effort that recalled the aftermath of Hurricane Katrina, helicopters landed near flooded freeways, airboats buzzed across submerged neighborhoods and high-water vehicles plowed through water-logged intersections. Some people managed with kayaks or canoes or swam

Volunteers joined emergency teams to pull people from their homes or from the water, which was high enough in places to gush into second floors. The flooding from Harvey, which made landfall late Friday as a Category 4 hurricane and has lingered dropping heavy rain as a tropical storm, was so widespread that authorities had trouble pinpointing the worst areas. They urged people to get on top of their houses to avoid becoming trapped in attics and to wave sheets or towels to draw attention to their location.

Residents living around the Addicks and Barker reservoirs designed to help prevent flooding in downtown Houston, were warned Sunday that a controlled release from both reservoirs would cause additional street flooding and could spill into homes. Rising water levels and continuing rain was putting pressure on the dams that could cause a failure without the release.

The Army Corps of Engineers early Monday started the water releases at the reservoirs ahead of schedule after water levels increased dramatically in a few hours' time, a Corps spokesman said.

Harris and Fort Bend county officials initially said Sunday that residents should be prepared for the influx of water that was scheduled to happen at Addicks around 2 a.m. Monday and a day later at Barker. Officials warned residents they should pack their cars Sunday night and wait for daylight Monday to leave.

The timetable was moved up to prevent more homes from being affected by flooding from the reservoirs, Corps spokesman Jay Townsend said. He added that water levels were rising at a rate of more than six inches per hour in both reservoirs.

Meanwhile, officials in Fort Bend County, Houston's southwestern suburbs, late Sunday issued widespread mandatory evacuation orders along the Brazos River levee districts. County officials were preparing for the river to reach major flood stages late Sunday. County Judge Robert Herbert said at a news conference that National Weather Service officials were predicting that the water could rise to 59 feet, three feet above 2016 records and what Herbert called an "800-year flood level." Herbert said that amount of water would top the levees and carries a threat of levee failure.

Judging from federal disaster declarations, the storm has so far affected about a quarter of the Texas population, or 6.8 million people in 18 counties. It was blamed for at least two deaths.

As the water rose, the National Weather Service issued another ominous forecast: Before the storm that arrived Friday as a Category 4 hurricane is gone, some parts of Houston and its suburbs could get as much as 50 inches (1.3 meters) of rain. That would be the highest amount ever recorded in Texas.

Some areas have already received about half that amount. Since Thursday, South Houston recorded nearly 25 inches (63 centimeters), and the suburbs of Santa Fe and Dayton got 27 inches (69 centimeters).

"The breadth and intensity of this rainfall is beyond anything experienced before," the National Weather Service said in a statement.

Average rainfall totals will end up around 40 inches (1 meter) for Houston, weather service meteorologist Patrick Burke said.

The director of the Federal Emergency Management Agency, Brock Long, predicted that the aftermath of the storm would require FEMA's involvement for years.

"This disaster's going to be a landmark event," Long said.

Rescuers had to give top priority to life-and-death situations, leaving many affected families to fend for themselves. And several hospitals in the Houston area were evacuated due to the rising waters.

Tom Bartlett and Steven Craig pulled a rowboat on a rope through chest-deep water for a mile to rescue Bartlett's mother from her home in west Houston. It took them 45 minutes to reach the house. Inside, the water was halfway up the walls.

Marie Bartlett, 88, waited in her bedroom upstairs.

"When I was younger, I used to wish I had a daughter, but I have the best son in the world," she said. "In my 40 years here, I've never seen the water this high."

It was not clear how many people were plucked from the floodwaters. Up to 1,200 people had to be rescued in Galveston County alone, said Mark Henry, the county judge, the county's top administrative post.

Houston's George R. Brown Convention Center was quickly opened as a shelter. It was also used as a shelter for Katrina refugees in 2005.

Gillis Leho arrived there soaking wet. She said she awoke Sunday to find her downstairs flooded. She tried to move some belongings upstairs, then grabbed her grandchildren.

"When they told us the current was getting high, we had to bust a window to get out," Leho said.

William Cain sought shelter after water started coming inside his family's apartment and

they lost power. "I live in a lake where there was once dry land," he said.

Some people used inflatable beach toys, rubber rafts and even air mattresses to get through the water to safety. Others waded while carrying trash bags stuffed with their belongings and small animals in picnic coolers.

Houston Mayor Sylvester Turner said authorities had received more than 2,000 calls for help, with more coming in. He urged drivers to stay off roads to avoid adding to the number of those stranded.

"I don't need to tell anyone this is a very, very serious and unprecedented storm," Turner told a news conference. "We have several hundred structural flooding reports. We expect that number to rise pretty dramatically."

The deteriorating situation was bound to provoke questions about the conflicting advice given by the governor and Houston leaders before the hurricane. Gov. Greg Abbott urged people to flee from Harvey's path, but the Houston mayor issued no evacuation orders and told everyone to stay home.

The governor refused to point fingers on Sunday.

"Now is not the time to second-guess the decisions that were made," Abbott, a Republican, said at a news conference in Austin. "What's important is that everybody work together to ensure that we are going to, first, save lives and, second, help people across the state rebuild."

The mayor, a Democrat, defended his decision, saying there was no way to know which parts of the city were most vulnerable.

"If you think the situation right now is bad, and you give an order to evacuate, you are

creating a nightmare,” Turner said, citing the risks of sending the city’s 2.3 million inhabitants onto the highways at the same time.

Jesse Gonzalez, and his son, also named Jesse, used their boat to rescue people from a southeast Houston neighborhood. Asked what he had seen, the younger Gonzalez replied: “A lot of people walking and a lot of dogs swimming.”

“It’s chest- to shoulder-deep out there in certain areas,” he told television station KTRK as the pair grabbed a gasoline can to refill their boat.

The Coast Guard deployed five helicopters and asked for additional aircraft from New Orleans.

The White House announced that President Donald Trump would visit Texas on Tuesday. He met Sunday by teleconference with top administration officials to discuss federal support for response and recovery efforts.

The rescues unfolded a day after Harvey settled over the Texas coastline. The system weakened Saturday to a tropical storm.

On Sunday, it was virtually stationary about 25 miles (40 kilometers) northwest of Victoria, Texas, with maximum sustained winds of about 40 mph (72.42 kph), the hurricane center said.

Harvey was the fiercest hurricane to hit the U.S. in 13 years and the strongest to strike Texas since 1961’s Hurricane Carla, the most powerful Texas hurricane on record.

Reuters

<https://www.cnbc.com/2017/08/28/fema-expects-more-than-450000-harvey-disaster-victims->

[to-file-for-assistance.html](#)

FEMA expects more than 450,000 Harvey disaster victims to file for assistance

By Reuters, 8/28/17

U.S. emergency management officials said on Monday they were committed to getting federal resources to Texas as quickly as possible to help with the flooding caused by Tropical Storm Harvey, with more than 450,000 people likely to seek assistance.

Federal Emergency Management Agency Administrator Brock Long said more than 30,000 people were expected to be placed temporarily in shelters after the storm made landfall over the weekend. A disaster declaration request from the Louisiana governor would also likely be expedited, he added.

The FEMA administrator said the agency is working with the Army Corps of Engineers to restore power and critical infrastructure to the Southern Texas region.

Long said FEMA is working with the Department of Homeland Security and the Department of Defense to bolster security forces in the region.

Long said that volunteers can find information on how to help at [NVOAD.org](#).

USA Today

<https://www.usatoday.com/story/news/politics/2017/08/27/trump-expected-lift-ban-military-gear-local-police-forces/606065001/>

Trump expected to lift ban on military gear to local police forces

By Kevin Johnson, 8/27/17

The Trump administration is preparing to lift a controversial ban on the transfer of some surplus military equipment to police departments whose battlefield-style response to rioting in a St. Louis suburb three years ago prompted a halt to the program.

The new plan, outlined in documents obtained by USA TODAY, would roll back an Obama administration executive order that blocked armored vehicles, large-caliber weapons, ammunition and other heavy equipment from being re-purposed from foreign battlefields to America's streets.

On Monday, Attorney General Jeff Sessions is scheduled to address the annual meeting of the Fraternal Order of Police, the nation's largest police union, and he may outline the program changes there.

Administration officials did not immediately respond to requests for comment.

The administration's action would restore "the full scope of a longstanding program for recycling surplus, lifesaving gear from the Department of Defense, along with restoring the full scope of grants used to purchase this type of equipment from other sources," according to a administration summary of the new program recently circulated to some law enforcement groups.

"Assets that would otherwise be scrapped can be re-purposed to help state, local and tribal law enforcement better protect public safety and reduce crime."

The FOP and some other law enforcement groups have long been pressing for a reversal of the Obama administration policy, arguing that access to such equipment was needed, especially in cash-strapped communities, to better respond to local unrest.

Local access to the high-powered gear was put on national display in 2014 in Ferguson, Mo., where armored vehicles and heavily-armed police clashed with protesters for days following the police shooting of an unarmed 18-year-old black man by a white officer.

The deployment of such equipment, President Obama argued at the time, cast the police as an "occupying force," deepening a divide between law enforcement and a wary community.

"We've seen how militarized gear can sometimes give people a feeling like they're an occupying force, as opposed to a force that's part of the community that's protecting them and serving them," Obama said in announcing the ban in 2015.

The military gear ban was among a host of policing reform recommendations to flow from a White House advisory group formed in the aftermath of the Ferguson rioting.

The Task Force on 21st Century Policing, chaired by former Philadelphia Police Commissioner Charles Ramsey and Laurie Robinson, a former assistant attorney general, called on law enforcement officials to "minimize the appearance of a military operation" when policing mass demonstrations.

"Avoid using provocative tactics and equipment that undermine civilian trust," the task force urged.

The previously-banned equipment also included tracked armored vehicles, bayonets and grenade launchers.

The Obama order did allow for the limited use of other surplus — aircraft, wheeled tactical vehicles, mobile command units, battering rams and riot gear — on the condition that such equipment was approved by the federal government.

The surplus sharing agreement, also known as the "1033 program," was created by Congress nearly 30 years ago as part of the National Defense Authorization Act. It was originally intended to assist local law enforcement in drug investigations.

The program was expanded in 1997 to include all local law enforcement operations, including counter-terrorism. Since then, according to the government, more than \$5 billion in gear has been transferred to state, local and tribal law enforcement agencies.

"Much of the equipment provided through the 1033 program is entirely defensive in nature ... that protect officers in active shooter scenarios and other dangerous situations," the Trump administration proposal says.

Bloomberg

<https://www.bloomberg.com/news/articles/2017-08-28/trump-s-pivot-to-taxes-is-fraught-with-pitfalls-everywhere>

Trump's Pivot to Taxes Is Fraught With 'Pitfalls Everywhere'

By Sahil Kapur, 8/28/17

President Donald Trump is planning to kick off one of the most important sales pitches of his presidency this week -- getting Americans fired up about rewriting the U.S. tax code.

But there's no plan to sell.

Basic questions remain unanswered. Will the changes be permanent or temporary? How will individual tax brackets be set? What rate will corporations and small businesses pay?

Instead of providing details that could help build support for a bill, the president will largely rely on the same talking points he and his advisers have highlighted since January: The middle class deserves a tax cut and businesses need changes to help them compete with global rivals.

Treasury Secretary Steven Mnuchin -- who earlier predicted having a tax bill done by

August -- revealed the enormity of the task ahead on Friday: He didn't commit to completing it by year's end.

"They're nowhere. They're just nowhere," said Henrietta Treyz, a tax analyst with Veda Partners and former Senate tax staffer. "I see them putting these ideas out as though they're making progress, but they are the same regurgitated ideas we've been talking about for 20 years that have never gotten past the white-paper stage."

Treyz said congressional tax staffers she's spoken with are despondent over what they call an unexpectedly grim situation. There's "animosity" between Republican leaders and their members, and between House and Senate Republicans, she said. Mistrust between congressional Republicans and Trump has been exacerbated by his recent attacks on key GOP senators.

Health-Care Lesson

"Our team has been working with the White House and the Senate to ensure we are all moving in one direction to reach this important goal," said Emily Schillinger, a spokeswoman for House Ways and Means Chairman Kevin Brady.

Administration officials and congressional leaders met periodically this summer to negotiate a tax framework -- an attempt to avoid repeating the failed attempt to repeal the 2010 Affordable Care Act.

The result was a two-page "statement of principles," released in July. It contained one big decision -- ruling out a controversial border-adjusted tax that House Speaker Paul Ryan had championed -- but left other crucial questions unanswered.

Trump administration officials had promised a unified tax plan by early September -- catching GOP congressional leaders by surprise, and leaving members confused and irritated, said three people familiar with the situation. The White House has since abandoned that promise; it said last week that details will be up to the tax-writing

committees in the House and Senate.

Those panels must decide how to raise trillions in revenue to pay for the massive tax cuts the White House has promised, and which deductions and loopholes to eliminate. It's possible that two different plans could result, with neither gaining the White House's full support.

"There's no indication that either the White House or congressional leaders learned anything from their repeal and replace debacle," said Stan Collender, a former budget aide for congressional Democrats.

'Internal Debate'

Even the time frame for drafting a bill isn't clear. National Economic Council Director Gary Cohn told the Financial Times in an interview published Friday that the Ways and Means Committee would write the tax legislation "in the next three or four weeks." Schillinger declined to confirm that, saying only that the panel is working toward achieving a tax overhaul in 2017.

After lawmakers return from a recess next week, they must focus first on must-pass bills to keep the federal government open and avert a default on U.S. debt -- most likely pushing serious consideration of tax legislation to October. Republicans remain divided on the parameters of a budget measure that's necessary to kick off tax legislation.

Meanwhile, Trump will spend the next several weeks campaigning for tax legislation, the White House said. His first stop is Springfield, Missouri, on Wednesday, said an official who asked not to be identified because the details were still under review. Trump posted a message on Twitter Sunday saying he was heading to Missouri and that Senator Claire McCaskill, a Democrat, is "opposed to big tax cuts."

Republicans had hoped to fill the month of August with similar messaging, but Trump's comments about white supremacist violence in Charlottesville, Virginia, and pointed attacks

on Senate Majority Leader Mitch McConnell and others overshadowed that plan.

There's still no indication that the most essential question for a tax bill -- whether its changes would be temporary or permanent -- has been settled. "There's some internal debate about that that we'll have to sort out among ourselves," McConnell said Aug. 21.

Republicans, who control only 52 seats in the Senate, plan to use congressional budget rules that allow for approving a tax bill with a simple majority. But those rules also require that tax cuts would have to be offset so they don't add to the long-term budget deficit. Changes that did increase the deficit would have to expire over time.

Washington Lobbyists

Beyond vague references to eliminating special breaks, the only one that's been targeted publicly is the state and local tax deduction for individuals. Officials have said they'd preserve deductions for mortgage interest, charitable giving and retirement savings.

"What we're proposing on the individual side is get rid of the loopholes, get rid of the carve-outs," Ryan said last week during a CNN town hall. "Just lower people's tax rates. Let you keep more of your own money." He offered no additional details during the hour-long event.

The lack of specifics has kept Washington lobbyists on the sidelines -- but that could change as soon as tax writers target any treasured loopholes.

For example, the influential National Association of Realtors wants to retain the state and local tax deduction. Yet the group hasn't formalized a budget for that fight or other tax-related efforts, said a person familiar with its strategy. The vague plans and difficult legislative calendar present such large impediments to tax legislation that any tactics beyond the usual meetings with lawmakers haven't been necessary, the person said.

Similarly, there's been no announcement of a specific tax rate that would be applied to more than \$2.6 trillion in profit that U.S. companies have stockpiled overseas. Cohn said in the FT interview that a specific "repatriation" rate on those offshore earnings hadn't been discussed. (He and Mnuchin said they would be discussing a rate with the House and Senate four months ago when unveiling the White House's one-page tax plan.)

Details or no details, Cohn hasn't swayed from saying he's committed to a full overhaul, listing it as his first, second and third priorities during a Bloomberg TV interview this month.

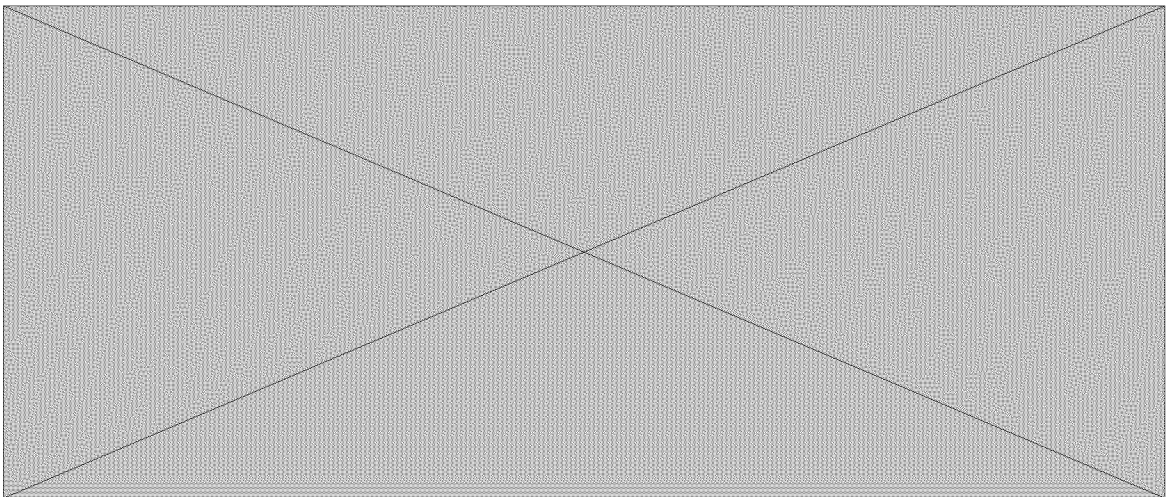
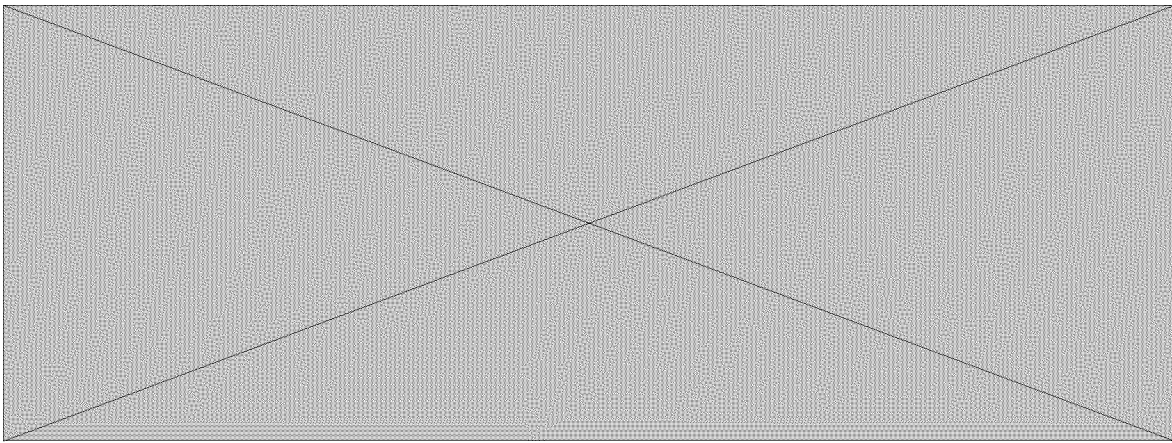
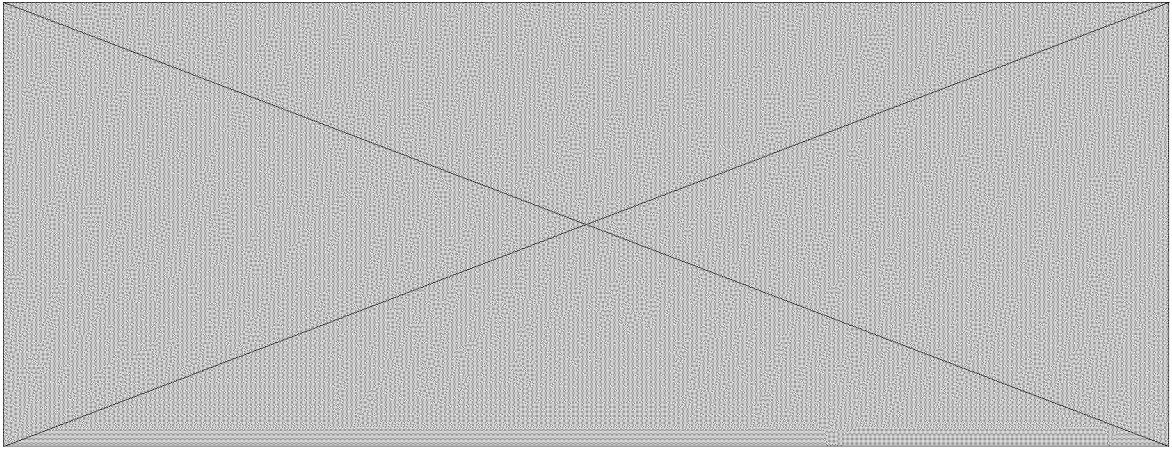
That level of determination among key players means a tax bill is still possible, said Kevin Madden, a Republican communications strategist who worked for former House Speaker John Boehner. "There's a reason Kevin Brady and Paul Ryan are criss-crossing the country, talking to workers, talking to businesses both big and small that are major employers."

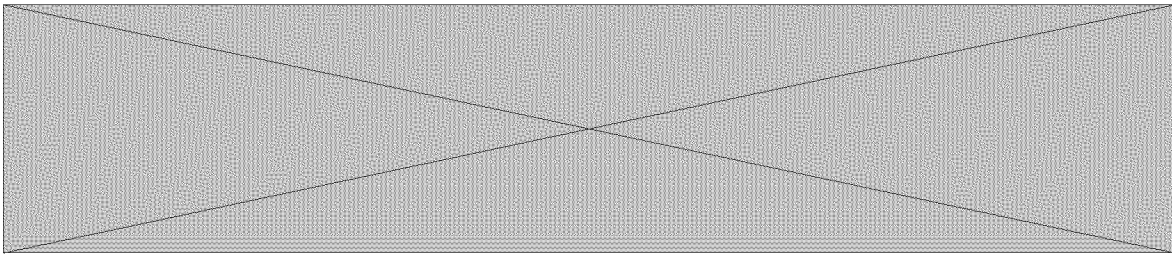
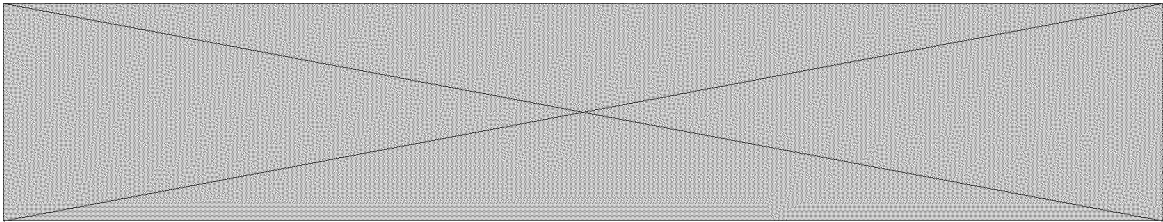
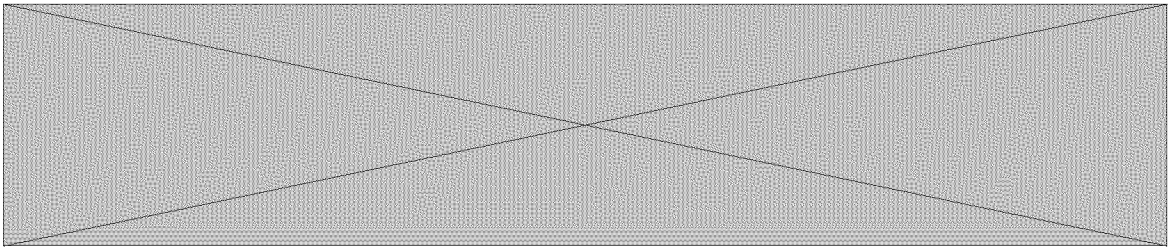
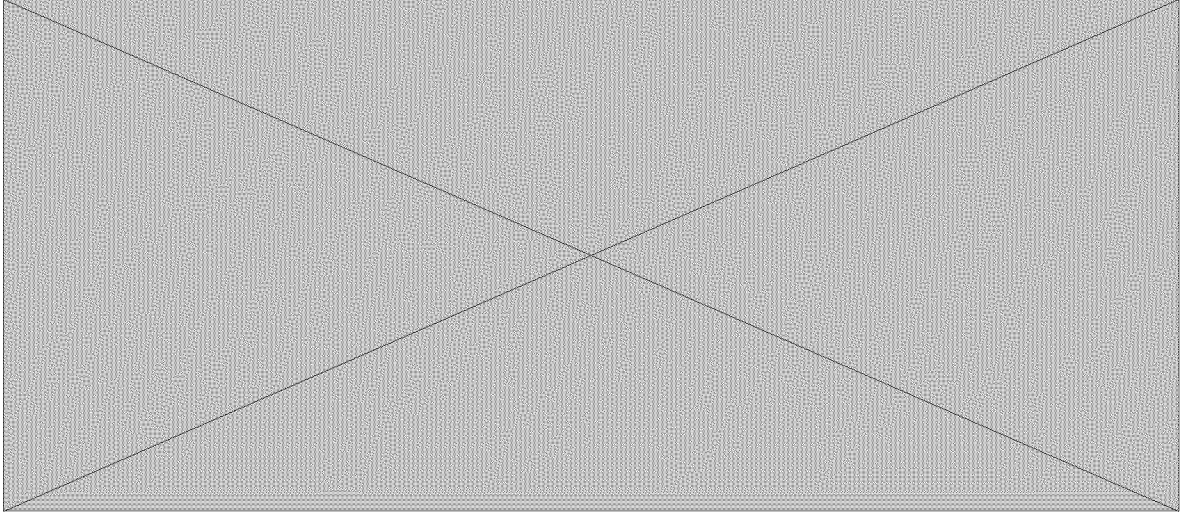
Brady and Ryan met this month with employees at companies including Intel Corp., Boeing Co. and AT&T Inc. They rehashed lines they've used since January: They want to simplify the code so Americans can file returns on postcards. Tax overhauls are rare and difficult; the last one happened in 1986 when Ryan got his driver's license.

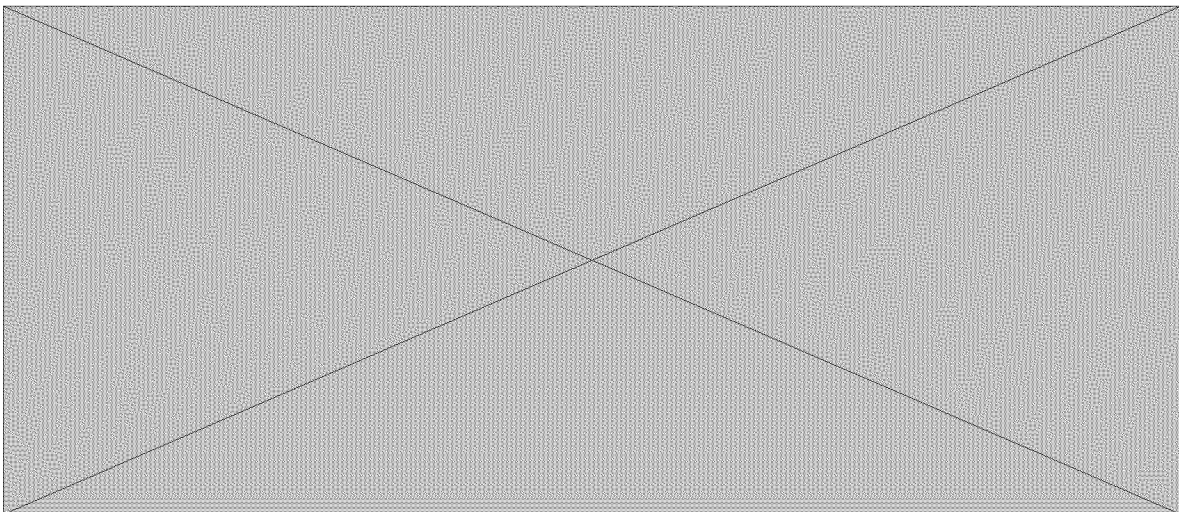
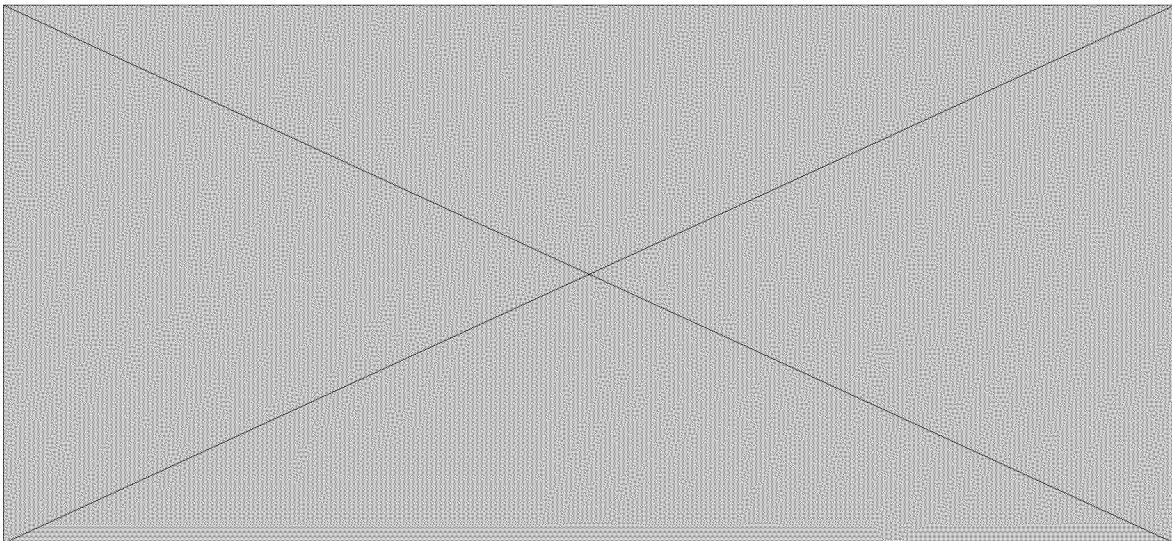
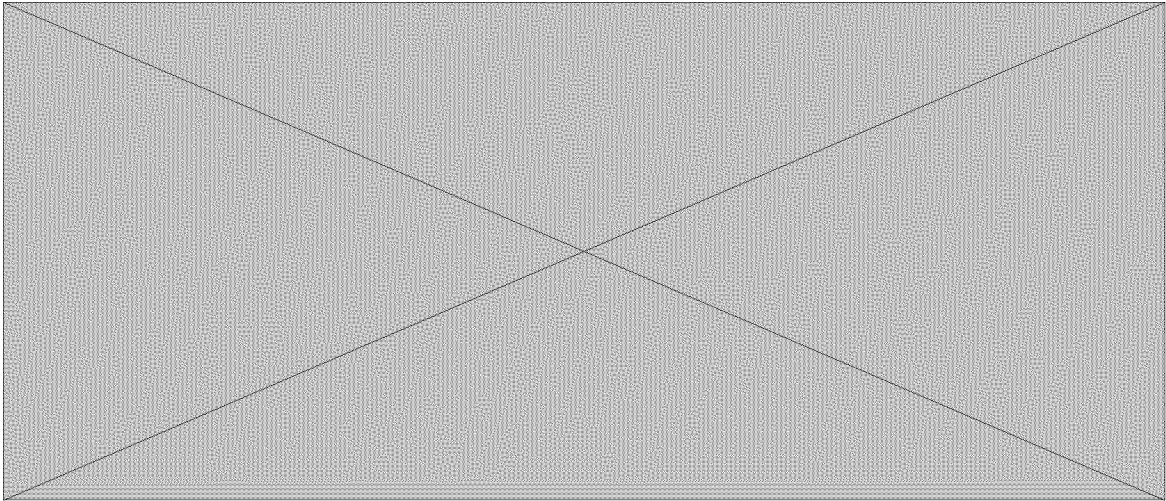
Treyz said the best-case scenario is that Republicans will pass legislation in late 2017 that expands existing tax perks, like the earned income tax credit and the child tax credit. Proposals to slash rates will run into budgetary problems, and efforts to end deductions will draw a lobbying blitz, making them too painful for many Republicans to support.

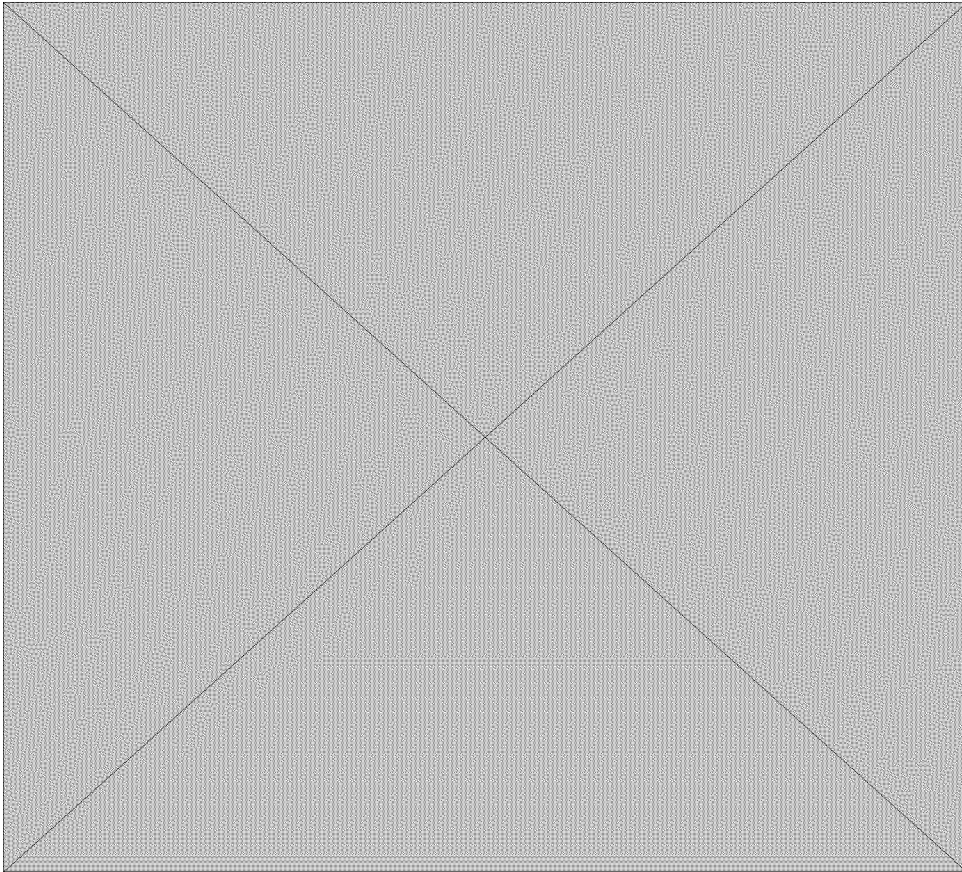
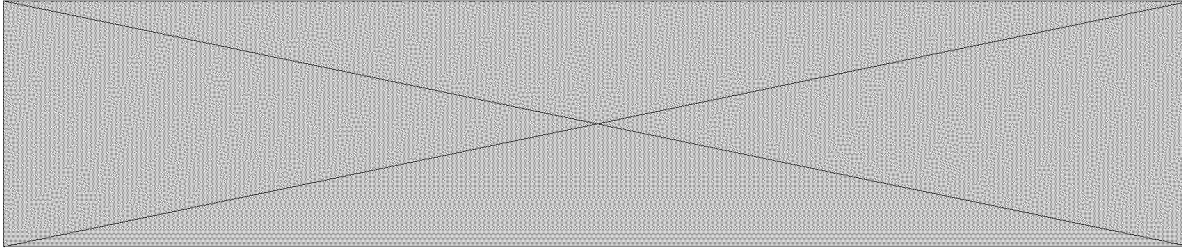
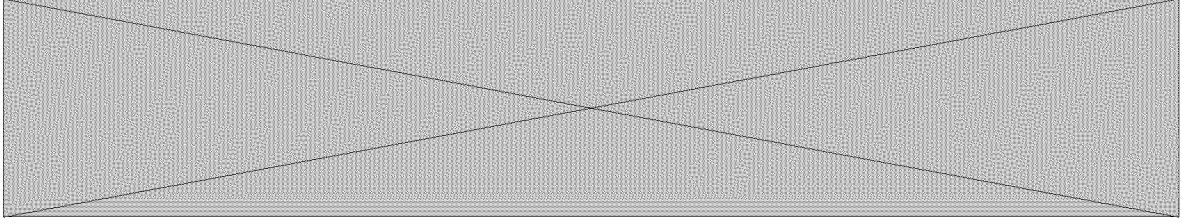
"I just see pitfalls everywhere," she said. "Potholes and sinkholes."

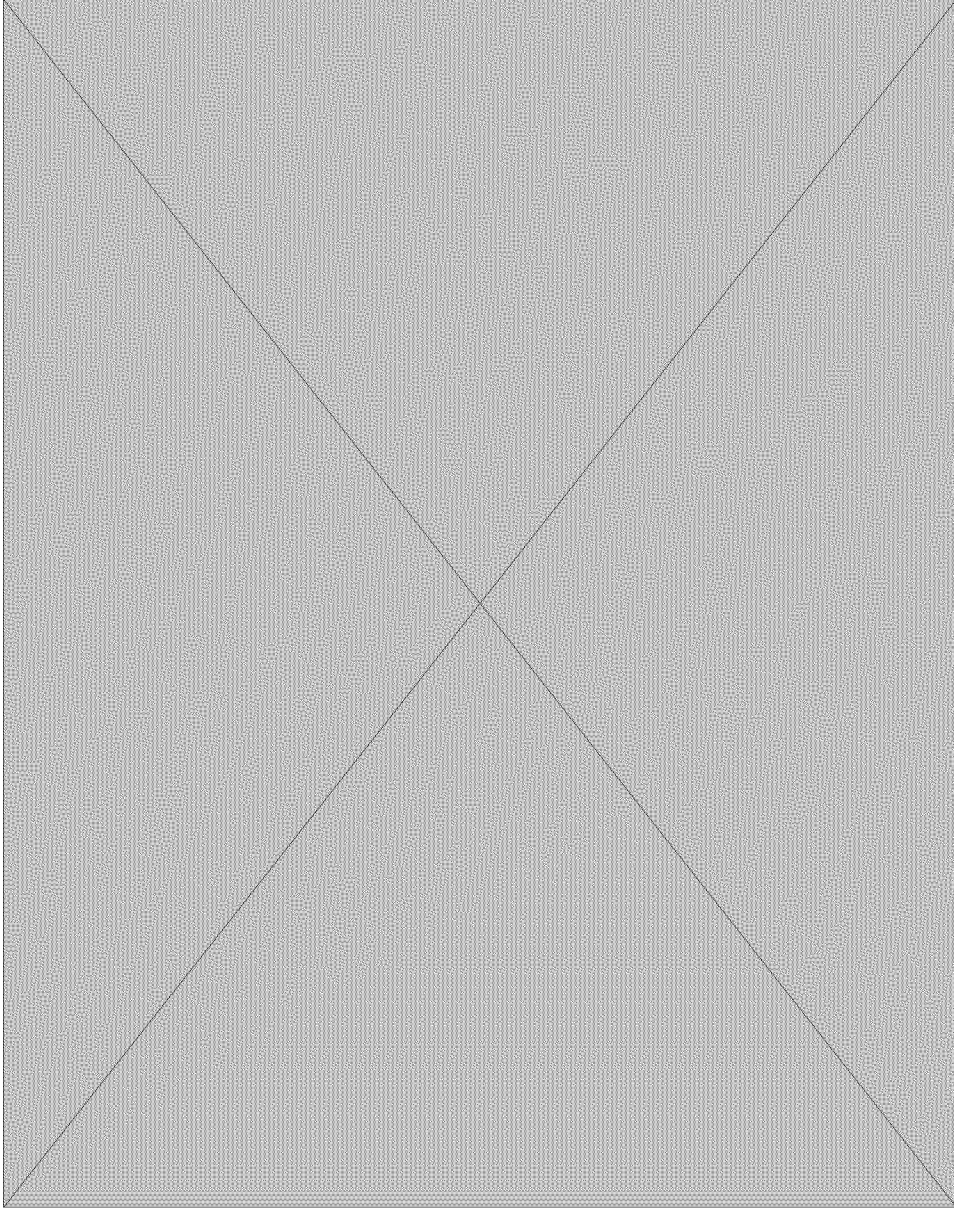
EPA Hurricane Social Media

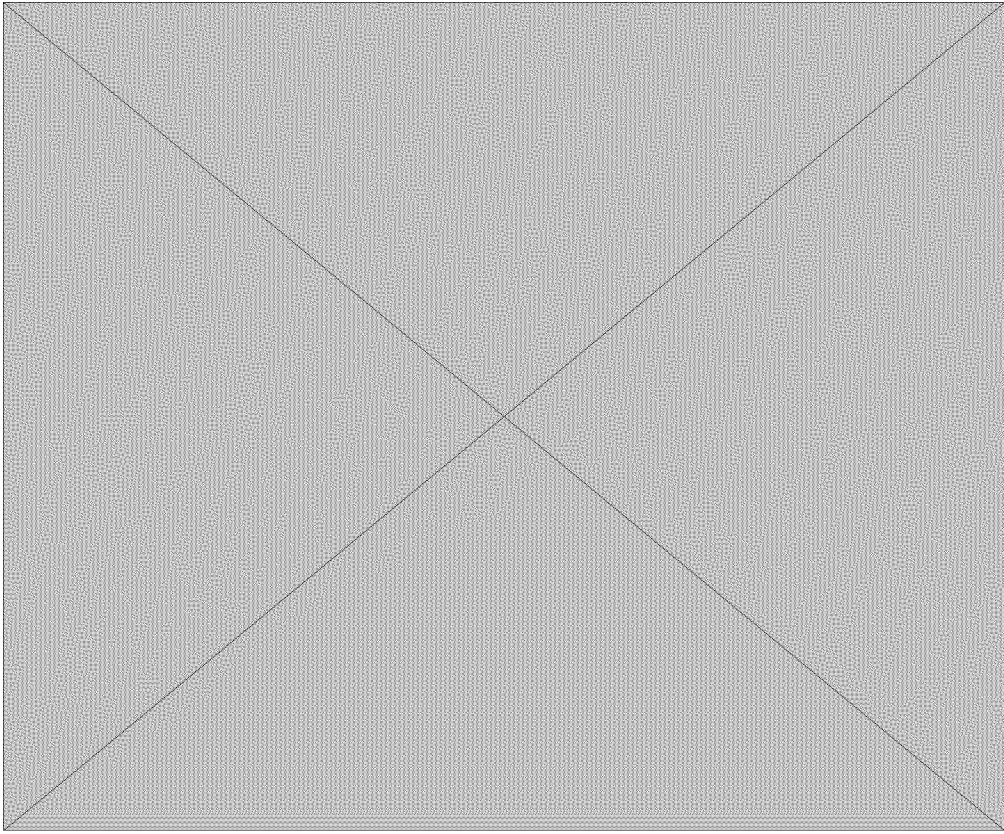


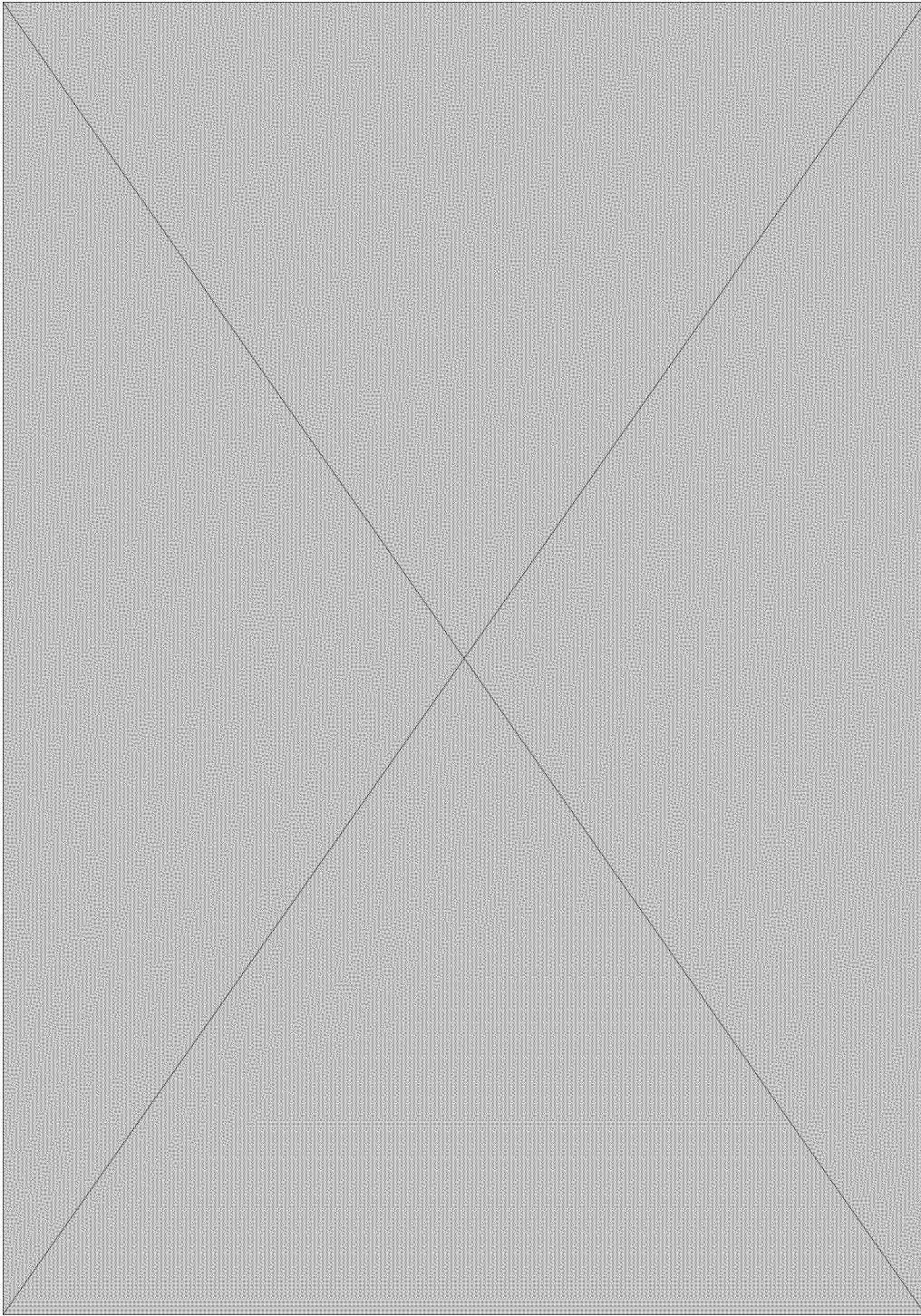


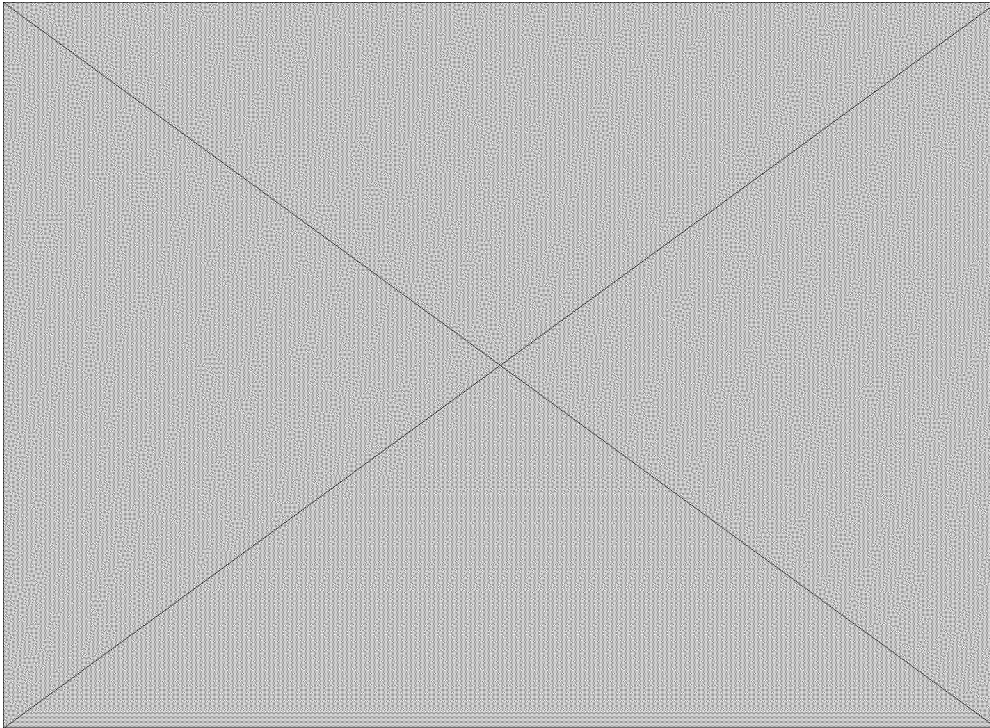




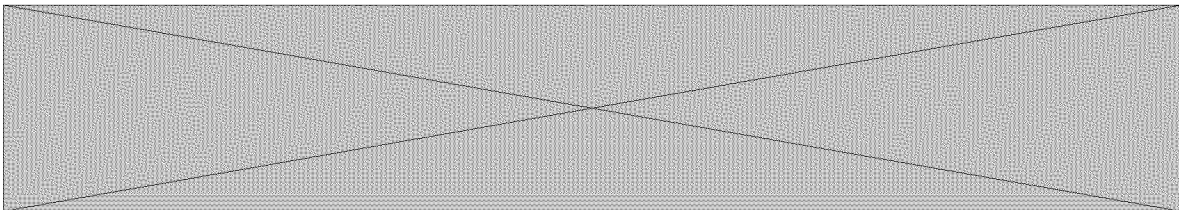








TRUMP TWEETS



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Environmental Protection Agency

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EPA Morning News Highlights 8.28.17

The National Law Review: EPA Ready to Support FEMA, State Efforts on Hurricane Harvey

EPA has an organized emergency response program for responding to man-made and natural disasters and is positioned to support the Federal Emergency Management Agency (FEMA), state, local, and tribal partners in response to Hurricane Harvey. "I am in regular contact with EPA Region 6 and want to commend them for their leadership and preparation," said EPA Administrator Scott Pruitt. "EPA is closely coordinating with state and regional partners, and we have teams standing by to support FEMA. EPA is ready to respond to anything that may occur due to Hurricane Harvey."

Reuters: U.S. EPA issues 2nd fuel waiver as Harvey threatens to cause shortages

The U.S. Environmental Protection Agency on Saturday lifted some additional gasoline and diesel fuel requirements for Texas to address potential shortages resulting from Tropical Storm Harvey. The move removes restrictions on Texas that mandate the use low volatility fuel and low emission diesel, a spokeswoman said on Twitter.

The Houston Chronicle: EPA issues emergency waiver to combat fuel shortage from Hurricane Harvey

The U.S. Environmental Protection Agency announced late Friday it was waiving environmental standards on fuel, "to address shortages resulting from Hurricane Harvey." "Extreme and unusual fuel supply circumstances exist in portions of Texas as a result of the hurricane," the agency said. EPA Administrator Scott Pruitt, "has granted a temporary waiver to help ensure an adequate supply of gasoline is available in the affected areas until normal supply to the region can be restored." As the Chronicle reported Friday: Some gas stations are running out of fuel - at least temporarily - as Hurricane Harvey moves closer to landfall.

National Morning News Highlights 8.28.17

The Associated Press: Rescuers pluck hundreds from rising floodwaters in Houston

Harvey sent devastating floods pouring into the nation's fourth-largest city Sunday as rising water chased thousands of people to rooftops or higher ground and overwhelmed rescuers who could not keep up with the constant calls for help. The incessant rain covered much of Houston in turbid, gray-green water and turned streets into rivers navigable only by boat. In a rescue effort that recalled the aftermath of Hurricane Katrina, helicopters landed near flooded freeways, airboats buzzed across submerged neighborhoods and high-water vehicles plowed through water-logged intersections. Some people managed with kayaks or canoes or swam.

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Bloomberg: Trump's Pivot to Taxes Is Fraught With 'Pitfalls Everywhere'

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EPA HURRICANE SOCIAL MEDIA POSTS

TRUMP TWEETS

The National Law Review

<https://www.natlawreview.com/article/epa-ready-to-support-fema-state-efforts-hurricane-harvey>

EPA Ready to Support FEMA, State Efforts on Hurricane Harvey

By NLR Staff, 8/27/17

EPA has an organized emergency response program for responding to man-made and natural disasters and is positioned to support the Federal Emergency Management Agency (FEMA), state, local, and tribal partners in response to Hurricane Harvey.

"I am in regular contact with EPA Region 6 and want to commend them for their leadership and preparation," said EPA Administrator Scott Pruitt. "EPA is closely coordinating with state and regional partners, and we have teams standing by to support FEMA. EPA is ready to respond to anything that may occur due to Hurricane Harvey."

EPA headquarters emergency operations center is monitoring the storm closely and making preparations to activate in order to support states and regions affected by the storm.

EPA's Region 6 office in Dallas is taking action to ensure that Superfund sites are secured in advance of the storm, to assist approximately 300 public drinking water system rapid assessments, and to seamlessly integrate emergency response activities with Texas, Louisiana, and other federal response agencies.

EPA supports hurricane preparedness and response in a number of ways, including:

- **Addressing Fuel Shortages:** The Clear Air Act allows EPA Administrator Pruitt, in consultation with Energy Secretary Perry, to waive certain fuel requirements to address shortages that occur as a result of the storm. If Administrator Pruitt determines that extreme and unusual fuel supply circumstances exist in a state or region as a result of the hurricane, a temporary waiver can help ensure an adequate supply of gasoline is available in the affected area, particularly for emergency vehicles. EPA has an experienced team standing by to expedite handling of any fuel waiver requests by the states.
- **Monitoring Public Water Systems:** Water systems can be severely impacted during hurricanes due to storm surge, flooding, or loss of power. EPA Region 6 has developed a tracking system for us to identify systems in the storm's pathway. About 300 public drinking water systems are in the path (red zone) of hurricane Harvey in Texas. Both Texas Commission on Environmental Quality and Louisiana Department of Hospitals have uploaded their potentially impacted systems into Response Manager, which enables planning for rapid assessments to restore water systems after the storm passes and flood waters recede. Following the storm, and if the state requests federal assistance, EPA conducts damage assessments of both drinking water and wastewater systems to identify impacts to critical assets and assist in the recovery.
- **Securing Superfund Sites:** EPA assesses conditions at the NPL Superfund sites in the storm's pathway and tasks each Superfund National Priorities List (NPL) remedial site manager to assess conditions and make on-site preparations for high winds and heavy rainfall. Following the storm and receding floodwaters, EPA conducts rapid assessments to identify damage at sites and initiate cleanup plans if necessary. Any on-site activities at sites located in the storm's path are ceased until the all clear is given and on-site equipment is secured. In addition, freeboard for lagoons or ponds is increased to accommodate forecasted rainfall if possible. After a hurricane makes landfall and any flooding recedes, the

EPA remedial managers will conduct assessments of each Superfund NPL site to ensure no damage has occurred.

- **Assessing Conditions at Major Industrial Facilities:** EPA assesses conditions at the major industrial facilities in the storm's pathway to identify potential impacts and countermeasures. Following the storm and receding floodwaters, spills and releases are reported to the National Response Center. NRC notifies US Coast Guard or EPA based on preapproved jurisdiction boundaries. EPA conducts follow up inspections and damage assessments in response to reports within EPA jurisdiction.

As EPA prepares to support FEMA and its local and state partners, it continues to focus its message on the importance of public safety. For information and updates from EPA, please visit EPA's emergency response website, www.response.epa.gov/Hurricaneharvey2017.

Reuters

<https://www.cnbc.com/2017/08/26/reuters-america-u-s-epa-issues-2nd-fuel-waiver-as-harvey-threatens-to-cause-shortages.html>

U.S. EPA issues 2nd fuel waiver as Harvey threatens to cause shortages

By Devika Krishna Kumar and Valerie Volcovici, 8/26/17

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<http://www.chron.com/business/energy/article/EPA-waives-fuel-standards-to-combat-gas-shortages-11969300.php>

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By The Houston Chronicle Staff, 8/26/17

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As the Chronicle reported Friday:

Some gas stations are running out of fuel - at least temporarily - as Hurricane Harvey moves closer to landfall.

In the Houston area, some of the outages include fueling stations in Katy, Sugar Land and The Woodlands as people wait in long lines to fill up their tanks before Harvey arrives, according to data available at GasBuddy's tracker.gasbuddy.com.

Prices already are rising as Corpus Christi refineries shut down, and fuel costs could spike by as much as 25 cents a gallon within the next week or so, said Patrick DeHaan, GasBuddy senior petroleum analyst. The Houston-area average was still about \$2.12 for a gallon of regular unleaded gasoline as of Friday morning.

The larger spikes will only occur if refineries also shut down in the Houston and Galveston areas, he said.

"The buck stops with Houston." Much unethical - or illegal - price gouging is unlikely though, he said. "Usually, gas stations have a lot of eyes on them," DeHaan said. "If it happens, it's usually just a few bad apples."

The waiver extends through Sept. 15 and applies to any county declared a disaster area by Governor Greg Abbott.

"EPA is continuing to actively monitor the fuel supply situation as a result of Hurricane Harvey, and is ready to act expeditiously if extreme and unusual supply circumstances exist in other areas," the agency said.

The Associated Press

<https://apnews.com/1be70a05bd0848c9aba361ab509d0fce/Rescuers-pluck-hundreds-from-rising-floodwaters-in-Houston>

Rescuers pluck hundreds from rising floodwaters in Houston

By Michael Graczyk, 8/28/17

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The incessant rain covered much of Houston in turbid, gray-green water and turned streets into rivers navigable only by boat. In a rescue effort that recalled the aftermath of Hurricane Katrina, helicopters landed near flooded freeways, airboats buzzed across submerged neighborhoods and high-water vehicles plowed through water-logged intersections. Some people managed with kayaks or canoes or swam

Volunteers joined emergency teams to pull people from their homes or from the water, which was high enough in places to gush into second floors. The flooding from Harvey, which made landfall late Friday as a Category 4 hurricane and has lingered dropping heavy rain as a tropical storm, was so widespread that authorities had trouble pinpointing the worst areas. They urged people to get on top of their houses to avoid becoming trapped in attics and to wave sheets or towels to draw attention to their location.

Residents living around the Addicks and Barker reservoirs designed to help prevent flooding in downtown Houston, were warned Sunday that a controlled release from both reservoirs would cause additional street flooding and could spill into homes. Rising water levels and continuing rain was putting pressure on the dams that could cause a failure without the release.

The Army Corps of Engineers early Monday started the water releases at the reservoirs ahead of schedule after water levels increased dramatically in a few hours' time, a Corps spokesman said.

Harris and Fort Bend county officials initially said Sunday that residents should be prepared for the influx of water that was scheduled to happen at Addicks around 2 a.m. Monday and a day later at Barker. Officials warned residents they should pack their cars Sunday night and wait for daylight Monday to leave.

The timetable was moved up to prevent more homes from being affected by flooding from the reservoirs, Corps spokesman Jay Townsend said. He added that water levels were rising at a rate of more than six inches per hour in both reservoirs.

Meanwhile, officials in Fort Bend County, Houston's southwestern suburbs, late Sunday issued widespread mandatory evacuation orders along the Brazos River levee districts. County officials were preparing for the river to reach major flood stages late Sunday. County Judge Robert Herbert said at a news conference that National Weather Service officials were predicting that the water could rise to 59 feet, three feet above 2016 records and what Herbert called an "800-year flood level." Herbert said that amount of water would top the levees and carries a threat of levee failure.

Judging from federal disaster declarations, the storm has so far affected about a quarter of the Texas population, or 6.8 million people in 18 counties. It was blamed for at least two deaths.

As the water rose, the National Weather Service issued another ominous forecast: Before the storm that arrived Friday as a Category 4 hurricane is gone, some parts of Houston and its suburbs could get as much as 50 inches (1.3 meters) of rain. That would be the highest amount ever recorded in Texas.

Some areas have already received about half that amount. Since Thursday, South Houston recorded nearly 25 inches (63 centimeters), and the suburbs of Santa Fe and Dayton got 27 inches (69 centimeters).

"The breadth and intensity of this rainfall is beyond anything experienced before," the National Weather Service said in a statement.

Average rainfall totals will end up around 40 inches (1 meter) for Houston, weather service meteorologist Patrick Burke said.

The director of the Federal Emergency Management Agency, Brock Long, predicted that the aftermath of the storm would require FEMA's involvement for years.

"This disaster's going to be a landmark event," Long said.

Rescuers had to give top priority to life-and-death situations, leaving many affected families to fend for themselves. And several hospitals in the Houston area were evacuated due to the rising waters.

Tom Bartlett and Steven Craig pulled a rowboat on a rope through chest-deep water for a mile to rescue Bartlett's mother from her home in west Houston. It took them 45 minutes to reach the house. Inside, the water was halfway up the walls.

Marie Bartlett, 88, waited in her bedroom upstairs.

"When I was younger, I used to wish I had a daughter, but I have the best son in the world," she said. "In my 40 years here, I've never seen the water this high."

It was not clear how many people were plucked from the floodwaters. Up to 1,200 people had to be rescued in Galveston County alone, said Mark Henry, the county judge, the county's top administrative post.

Houston's George R. Brown Convention Center was quickly opened as a shelter. It was also used as a shelter for Katrina refugees in 2005.

Gillis Leho arrived there soaking wet. She said she awoke Sunday to find her downstairs flooded. She tried to move some belongings upstairs, then grabbed her grandchildren.

"When they told us the current was getting high, we had to bust a window to get out," Leho said.

William Cain sought shelter after water started coming inside his family's apartment and they lost power. "I live in a lake where there was once dry land," he said.

Some people used inflatable beach toys, rubber rafts and even air mattresses to get through the water to safety. Others waded while carrying trash bags stuffed with their belongings and small animals in picnic coolers.

Houston Mayor Sylvester Turner said authorities had received more than 2,000 calls for help, with more coming in. He urged drivers to stay off roads to avoid adding to the number of those stranded.

"I don't need to tell anyone this is a very, very serious and unprecedented storm," Turner told a news conference. "We

have several hundred structural flooding reports. We expect that number to rise pretty dramatically.”

The deteriorating situation was bound to provoke questions about the conflicting advice given by the governor and Houston leaders before the hurricane. Gov. Greg Abbott urged people to flee from Harvey’s path, but the Houston mayor issued no evacuation orders and told everyone to stay home.

The governor refused to point fingers on Sunday.

“Now is not the time to second-guess the decisions that were made,” Abbott, a Republican, said at a news conference in Austin. “What’s important is that everybody work together to ensure that we are going to, first, save lives and, second, help people across the state rebuild.”

The mayor, a Democrat, defended his decision, saying there was no way to know which parts of the city were most vulnerable.

“If you think the situation right now is bad, and you give an order to evacuate, you are creating a nightmare,” Turner said, citing the risks of sending the city’s 2.3 million inhabitants onto the highways at the same time.

Jesse Gonzalez, and his son, also named Jesse, used their boat to rescue people from a southeast Houston neighborhood. Asked what he had seen, the younger Gonzalez replied: “A lot of people walking and a lot of dogs swimming.”

“It’s chest- to shoulder-deep out there in certain areas,” he told television station KTRK as the pair grabbed a gasoline can to refill their boat.

The Coast Guard deployed five helicopters and asked for additional aircraft from New Orleans.

The White House announced that President Donald Trump would visit Texas on Tuesday. He met Sunday by teleconference with top administration officials to discuss federal support for response and recovery efforts.

The rescues unfolded a day after Harvey settled over the Texas coastline. The system weakened Saturday to a tropical storm.

On Sunday, it was virtually stationary about 25 miles (40 kilometers) northwest of Victoria, Texas, with maximum sustained winds of about 40 mph (72.42 kph), the hurricane center said.

Harvey was the fiercest hurricane to hit the U.S. in 13 years and the strongest to strike Texas since 1961’s Hurricane Carla, the most powerful Texas hurricane on record.

Reuters

<https://www.cnbc.com/2017/08/28/fema-expects-more-than-450000-harvey-disaster-victims-to-file-for-assistance.html>

FEMA expects more than 450,000 Harvey disaster victims to file for assistance

By Reuters, 8/28/17

U.S. emergency management officials said on Monday they were committed to getting federal resources to Texas as quickly as possible to help with the flooding caused by Tropical Storm Harvey, with more than 450,000 people likely to seek assistance.

Federal Emergency Management Agency Administrator Brock Long said more than 30,000 people were expected to be placed temporarily in shelters after the storm made landfall over the weekend. A disaster declaration request from the Louisiana governor would also likely be expedited, he added.

The FEMA administrator said the agency is working with the Army Corps of Engineers to restore power and critical infrastructure to the Southern Texas region.

Long said FEMA is working with the Department of Homeland Security and the Department of Defense to bolster security forces in the region.

Long said that volunteers can find information on how to help at NVOAD.org.

USA Today

<https://www.usatoday.com/story/news/politics/2017/08/27/trump-expected-lift-ban-military-gear-local-police-forces/606065001/>

Trump expected to lift ban on military gear to local police forces

By Kevin Johnson, 8/27/17

The Trump administration is preparing to lift a controversial ban on the transfer of some surplus military equipment to police departments whose battlefield-style response to rioting in a St. Louis suburb three years ago prompted a halt to the program.

The new plan, outlined in documents obtained by USA TODAY, would roll back an Obama administration executive order that blocked armored vehicles, large-caliber weapons, ammunition and other heavy equipment from being re-purposed from foreign battlefields to America's streets.

On Monday, Attorney General Jeff Sessions is scheduled to address the annual meeting of the Fraternal Order of Police, the nation's largest police union, and he may outline the program changes there.

Administration officials did not immediately respond to requests for comment.

The administration's action would restore "the full scope of a longstanding program for recycling surplus, lifesaving gear from the Department of Defense, along with restoring the full scope of grants used to purchase this type of equipment from other sources," according to a administration summary of the new program recently circulated to some law enforcement groups.

"Assets that would otherwise be scrapped can be re-purposed to help state, local and tribal law enforcement better protect public safety and reduce crime."

The FOP and some other law enforcement groups have long been pressing for a reversal of the Obama administration policy, arguing that access to such equipment was needed, especially in cash-strapped communities, to better respond to local unrest.

Local access to the high-powered gear was put on national display in 2014 in Ferguson, Mo., where armored vehicles and heavily-armed police clashed with protesters for days following the police shooting of an unarmed 18-year-old black man by a white officer.

The deployment of such equipment, President Obama argued at the time, cast the police as an "occupying force," deepening a divide between law enforcement and a wary community.

"We've seen how militarized gear can sometimes give people a feeling like they're an occupying force, as opposed to a force that's part of the community that's protecting them and serving them," Obama said in announcing the ban in 2015.

The military gear ban was among a host of policing reform recommendations to flow from a White House advisory group formed in the aftermath of the Ferguson rioting.

The Task Force on 21st Century Policing, chaired by former Philadelphia Police Commissioner Charles Ramsey and Laurie Robinson, a former assistant attorney general, called on law enforcement officials to "minimize the appearance of a military operation" when policing mass demonstrations.

"Avoid using provocative tactics and equipment that undermine civilian trust," the task force urged.

The previously-banned equipment also included tracked armored vehicles, bayonets and grenade launchers.

The Obama order did allow for the limited use of other surplus — aircraft, wheeled tactical vehicles, mobile command units, battering rams and riot gear — on the condition that such equipment was approved by the federal government.

The surplus sharing agreement, also known as the "1033 program," was created by Congress nearly 30 years ago as part of the National Defense Authorization Act. It was originally intended to assist local law enforcement in drug investigations.

The program was expanded in 1997 to include all local law enforcement operations, including counter-terrorism. Since then, according to the government, more than \$5 billion in gear has been transferred to state, local and tribal law enforcement agencies.

"Much of the equipment provided through the 1033 program is entirely defensive in nature ... that protect officers in active shooter scenarios and other dangerous situations," the Trump administration proposal says.

Bloomberg

<https://www.bloomberg.com/news/articles/2017-08-28/trump-s-pivot-to-taxes-is-fraught-with-pitfalls-everywhere>

Trump's Pivot to Taxes Is Fraught With 'Pitfalls Everywhere'

By Sahil Kapur, 8/28/17

President Donald Trump is planning to kick off one of the most important sales pitches of his presidency this week -- getting Americans fired up about rewriting the U.S. tax code.

But there's no plan to sell.

Basic questions remain unanswered. Will the changes be permanent or temporary? How will individual tax brackets be set? What rate will corporations and small businesses pay?

Instead of providing details that could help build support for a bill, the president will largely rely on the same talking points he and his advisers have highlighted since January: The middle class deserves a tax cut and businesses need changes to help them compete with global rivals.

Treasury Secretary Steven Mnuchin -- who earlier predicted having a tax bill done by August -- revealed the enormity of the task ahead on Friday: He didn't commit to completing it by year's end.

"They're nowhere. They're just nowhere," said Henrietta Treyz, a tax analyst with Veda Partners and former Senate tax staffer. "I see them putting these ideas out as though they're making progress, but they are the same regurgitated ideas we've been talking about for 20 years that have never gotten past the white-paper stage."

Treyz said congressional tax staffers she's spoken with are despondent over what they call an unexpectedly grim situation. There's "animosity" between Republican leaders and their members, and between House and Senate

Republicans, she said. Mistrust between congressional Republicans and Trump has been exacerbated by his recent attacks on key GOP senators.

Health-Care Lesson

"Our team has been working with the White House and the Senate to ensure we are all moving in one direction to reach this important goal," said Emily Schillinger, a spokeswoman for House Ways and Means Chairman Kevin Brady.

Administration officials and congressional leaders met periodically this summer to negotiate a tax framework -- an attempt to avoid repeating the failed attempt to repeal the 2010 Affordable Care Act.

The result was a two-page "statement of principles," released in July. It contained one big decision -- ruling out a controversial border-adjusted tax that House Speaker Paul Ryan had championed -- but left other crucial questions unanswered.

Trump administration officials had promised a unified tax plan by early September -- catching GOP congressional leaders by surprise, and leaving members confused and irritated, said three people familiar with the situation. The White House has since abandoned that promise; it said last week that details will be up to the tax-writing committees in the House and Senate.

Those panels must decide how to raise trillions in revenue to pay for the massive tax cuts the White House has promised, and which deductions and loopholes to eliminate. It's possible that two different plans could result, with neither gaining the White House's full support.

"There's no indication that either the White House or congressional leaders learned anything from their repeal and replace debacle," said Stan Collender, a former budget aide for congressional Democrats.

'Internal Debate'

Even the time frame for drafting a bill isn't clear. National Economic Council Director Gary Cohn told the Financial Times in an interview published Friday that the Ways and Means Committee would write the tax legislation "in the next three or four weeks." Schillinger declined to confirm that, saying only that the panel is working toward achieving a tax overhaul in 2017.

After lawmakers return from a recess next week, they must focus first on must-pass bills to keep the federal government open and avert a default on U.S. debt -- most likely pushing serious consideration of tax legislation to October. Republicans remain divided on the parameters of a budget measure that's necessary to kick off tax legislation.

Meanwhile, Trump will spend the next several weeks campaigning for tax legislation, the White House said. His first stop is Springfield, Missouri, on Wednesday, said an official who asked not to be identified because the details were still under review. Trump posted a message on Twitter Sunday saying he was heading to Missouri and that Senator Claire McCaskill, a Democrat, is "opposed to big tax cuts."

Republicans had hoped to fill the month of August with similar messaging, but Trump's comments about white supremacist violence in Charlottesville, Virginia, and pointed attacks on Senate Majority Leader Mitch McConnell and others overshadowed that plan.

There's still no indication that the most essential question for a tax bill -- whether its changes would be temporary or permanent -- has been settled. "There's some internal debate about that that we'll have to sort out among ourselves," McConnell said Aug. 21.

Republicans, who control only 52 seats in the Senate, plan to use congressional budget rules that allow for approving a tax bill with a simple majority. But those rules also require that tax cuts would have to be offset so they don't add to the long-term budget deficit. Changes that did increase the deficit would have to expire over time.

Washington Lobbyists

Beyond vague references to eliminating special breaks, the only one that's been targeted publicly is the state and local tax deduction for individuals. Officials have said they'd preserve deductions for mortgage interest, charitable giving and retirement savings.

"What we're proposing on the individual side is get rid of the loopholes, get rid of the carve-outs," Ryan said last week during a CNN town hall. "Just lower people's tax rates. Let you keep more of your own money." He offered no additional details during the hour-long event.

The lack of specifics has kept Washington lobbyists on the sidelines -- but that could change as soon as tax writers target any treasured loopholes.

For example, the influential National Association of Realtors wants to retain the state and local tax deduction. Yet the group hasn't formalized a budget for that fight or other tax-related efforts, said a person familiar with its strategy. The vague plans and difficult legislative calendar present such large impediments to tax legislation that any tactics beyond the usual meetings with lawmakers haven't been necessary, the person said.

Similarly, there's been no announcement of a specific tax rate that would be applied to more than \$2.6 trillion in profit that U.S. companies have stockpiled overseas. Cohn said in the FT interview that a specific "repatriation" rate on those offshore earnings hadn't been discussed. (He and Mnuchin said they would be discussing a rate with the House and Senate four months ago when unveiling the White House's one-page tax plan.)

Details or no details, Cohn hasn't swayed from saying he's committed to a full overhaul, listing it as his first, second and third priorities during a Bloomberg TV interview this month.

That level of determination among key players means a tax bill is still possible, said Kevin Madden, a Republican communications strategist who worked for former House Speaker John Boehner. "There's a reason Kevin Brady and Paul Ryan are criss-crossing the country, talking to workers, talking to businesses both big and small that are major employers."

Brady and Ryan met this month with employees at companies including Intel Corp., Boeing Co. and AT&T Inc. They rehashed lines they've used since January: They want to simplify the code so Americans can file returns on postcards. Tax overhauls are rare and difficult; the last one happened in 1986 when Ryan got his driver's license.

Treyz said the best-case scenario is that Republicans will pass legislation in late 2017 that expands existing tax perks, like the earned income tax credit and the child tax credit. Proposals to slash rates will run into budgetary problems, and efforts to end deductions will draw a lobbying blitz, making them too painful for many Republicans to support.

"I just see pitfalls everywhere," she said. "Potholes and sinkholes."

EPA Hurricane Social Media

U.S. EPA Retweeted



U.S. Coast Guard @USCG · 18h

People in distress from #harvey can call the following #USCG numbers:

281-464-4851

281-464-4852

281-464-4853

281-464-4854

281-464-4855

157 9.0K 5.1K

U.S. EPA Retweeted



FEMA @fema · 22h

Follow @HoustonOEM for important safety updates like this one. Be safe everyone. #Harvey

Houston OEM @HoustonOEM

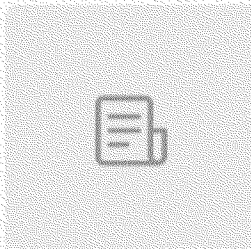
If water is in your home, DO NOT go in to your attic, unless you know there is an exit. That is unsafe. #houstonflood

78 1.3K 1.7K



U.S. EPA @EPA · 15h

Flooding during Hurricane #Harvey? Don't use the septic system until water in the soil absorption field has receded.



What to Do If Your Septic System Fails | US EPA

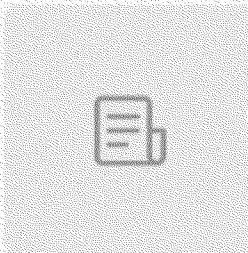
Septic systems fail because of inappropriate design or poor maintenance. Contact your local health department or regulatory agency if you have problems with your septic system. epa.gov

5 38 14



U.S. EPA @EPA · 20h

Are you dealing with flooding as a result of Hurricane #Harvey? Limit contact with flood water. More info here:



Hurricanes | US EPA

Ways to prepare for or respond to hurricanes and related health or environmental problems.

epa.gov



25



112



77



U.S. EPA Retweeted



Administrator Pruitt @EPAScottPruitt · 23h

Continuing to pray for those affected by the devastating Texas floods. @EPA is committed to working with local partners to offer assistance.



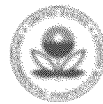
139



93



277



U.S. EPA @EPA · Aug 27

We're ready to support our state, local and tribal partners in response to Hurricane #Harvey: response.epa.gov/Hurricaneharve...



12



44



105



U.S. EPA Retweeted



EPA Region6 @EPAregion6 · Aug 26

.@EPA expands Texas @TCEQNews emergency fuel waiver to include DFW and many other Texas counties response.epa.gov/sites/12353/fi...



7



26



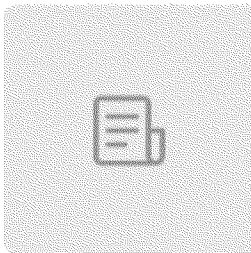
28





U.S. EPA ● @EPA · Aug 26

Did you lose power during Hurricane #Harvey? Generator exhaust is toxic. Put generators outside. More tips:



Hurricanes | US EPA

Ways to prepare for or respond to hurricanes and related health or environmental problems.

epa.gov



6



24



23



U.S. EPA Retweeted



FEMA ● @fema · Aug 26

Please remember: #Harvey is still an active storm system. Keep a close eye on the weather forecast.



NHC Atlantic Ops ● @NHC_Atlantic

Do not focus on the fact that #Harvey is now a tropical storm- a catastrophic flooding event is still unfolding!
hurricanes.gov



71



864

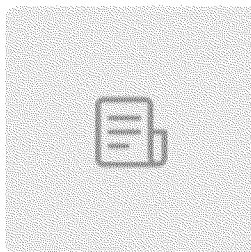


1.6K



U.S. EPA ● @EPA · Aug 26

Are you dealing with flooding as a result of Hurricane #Harvey? Limit contact with flood water. More info here:



Hurricanes | US EPA

Ways to prepare for or respond to hurricanes and related health or environmental problems.

epa.gov



4



29



17





U.S. EPA @EPA · Aug 26

We're monitoring the storm closely and making preparations to assist in the response. response.epa.gov/Hurricaneharve... #Harvey

4 21 39

U.S. EPA Retweeted



NHC Atlantic Ops @NHC_Atlantic · Aug 26

Hurricane #Harvey Advisory 24A: Harvey Moving Slowly Over Texas Producing Torrential Rains. go.usa.gov/W3H

33 334 689



U.S. Environmental Protection Agency

Published by James Hewitt (?) · 20 hrs ·

Was your home's septic system flooded during Hurricane #Harvey? Don't use the sewage system until water in the soil absorption field is lower than the water level around the house following floods. <https://www.epa.gov/sep.../what-do-if-your-septic-system-fails>

What to Do If Your Septic System Fails | US EPA

Septic systems fail because of inappropriate design or poor maintenance. Contact your local health department or regulatory agency if you have problems with your septic system.

EPA.GOV

10,039 people reached

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Brooke McGowen, Noelle Renae and 43 others

Top Comments

11 shares



U.S. Environmental Protection Agency

Published by James Hewitt (?) · 23 hrs ·



Get the latest weather and emergency information on your phone with the FEMA app. Download it now! <https://www.fema.gov/mobile-app>
#Harvey2017



Mobile App | FEMA.gov

Install the FEMA App, available for Apple, Android, and Blackberry mobile devices.

FEMA.GOV

3,269 people reached

Boost Post

Like Comment Share



Derek Jones, Unicef- pomoc w sytuacji klęski humanitarnej and 4 others



U.S. Environmental Protection Agency

Published by James Hewitt [?] · August 26 at 5:04pm · 🌐



Did you lose power as a result of Hurricane #Harvey? Generator exhaust is toxic. Always put generators outside well away from doors, windows, and vents. Never use a generator inside homes, garages, crawlspaces, sheds, or similar areas. More tips on hurricane recovery here:
<https://www.epa.gov/natural-disasters/hurricanes#recover>

Hurricanes | US EPA

Ways to prepare for or respond to hurricanes and related health or environmental problems.

EPA.GOV

3,466 people reached

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Like



Comment



Share



Adnan Al-Banna, Valorie Houser and 20 others

Top Comments ▾



U.S. Environmental Protection Agency shared FEMA
Federal Emergency Management Agency's post.

Published by James Hewitt (?) · August 26 at 1:46pm · 🌐



FEMA Federal Emergency Management Agency

August 26 at 12:46pm · 🌐

👍 Like Page

If you're sheltering in place, stay indoors to avoid endangering yourself & first responders. Continue to listen to local officials.

11,651 people reached

Boost Post



U.S. Environmental Protection Agency

Published by James Hewitt [?] · August 26 at 1:15pm · 🌐



Does your house have a well? Don't drink or wash with water from your well until it's been tested if it was flooded as a result of Hurricane #Harvey. Learn more here: <https://www.epa.gov/privatewells/protect-your-homes-water>

Protect Your Home's Water | US EPA

This page informs private drinking water well owners of the importance of testing, post-flood actions, and preventative measures to ensure well water quality.

EPA.GOV

9,365 people reached

Boost Post



Like



Comment



Share



Ramon Resendez, Sarah Clarke and 39 others

Top Comments ▾

TRUMP TWEETS



Donald J. Trump @realDonaldTrump · 14h



HISTORIC rainfall in Houston, and all over Texas. Floods are unprecedented, and more rain coming. Spirit of the people is incredible.Thanks!



28K



17K



76K



To: sooners7, adm[sooners7@epa.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Ferguson, Lincoln
Sent: Mon 8/28/2017 2:17:38 AM
Subject: Fwd: UPDATED Harvey Talking Points & EPA Info (attached)
8-27-17 1700 Update final.docx
ATT00001.htm

Attached are talking points for your morning interviews.

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: August 27, 2017 at 8:07:36 PM CDT
To: "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>
Subject: **UPDATED Harvey Talking Points & EPA Info (attached)**

TROPICAL STORM HARVEY TALKING POINTS

August 27, 2017

TOPLINE:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

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Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process



Hurricane Harvey 2017 8/27/2017 – 1700 CDT Update

EPA Response/State Support

EPA is deploying additional asset in anticipation of emergency response activities associated with Hurricane Harvey and aftermath flooding. **EPA has activated the National Incident Management Team consisting of highly skilled response personnel from Regions 3, 4, 5. The N-IMAT will arrive in Dallas on Tuesday, August 29 to assist with response activities.**

The EPA has personnel at the State of Texas Operations Center (SOC) who has integrated into the FEMA Incident Management Team Operations Section.

There have been discussions at the FEMA Regional Response Coordination Center (RRCC) regarding standing up a Joint Field Office possibly as early as Saturday. **EPA Senior Advisor to the Administrator, Ken Wagner will arrive at the FEMA RRCC in Denton, Texas on Monday, August 28.**

Industrial Sources

EPA will initiate contact with industrial sources located within the storm area to determine active status and plans to resume operations. EPA will closely monitor start-up of industrial sources along the coastal area of Texas. Most of the industrial sources along the Texas coast underwent organized shut-down of their operations in advance of the storm and will now be bringing their plants back online for production.

Spill/release Response

EPA will respond, as necessary, to spill and release reports from the National Response Center, operated by the US Coast Guard, within our jurisdiction and deploy Federal On-Scene Coordinators as necessary to direct cleanup efforts. By law, industry is required to report spills and releases to the NRC. EPA will also offer assistance to the U.S. Coast Guard for spills or releases within their jurisdiction as appropriate.

EPA Emergency Response Assets

EPA will deploy asset to support internal EPA, state and local response activities including emergency response mobile command post and communication system and mobile laboratory service.

EPA surveillance aircraft known as ASPECT is on stand-by and available to conduct remote monitoring of air quality related to releases and fires, radiation surveillance, and general aerial surveillance of spills and releases.

Surface Water Quality Monitoring

EPA is developing surface water sampling plans to address public health concerns regarding possible contaminants found in storm water. Often in flooding situations, many questions arise regarding the contaminate and exposure threats associated with storm water. EPA anticipates field sampling of flood waters will begin as soon as conditions allow.

Drinking Water / Wastewater Assessments

EPA is deploying personnel to a with TCEQ's Drinking Water and Waste Water Phone Bank located in Austin, TX. Teams will be responsible for contacting drinking water and waste water facilities to verify operational status and offer technical assistance as need. Rapid response teams will be deployed on a case-by-case basis to offer additional assistance necessary to restore services as quickly as possible. These teams physically visit drinking water and waste water systems to determine functionality and provide technical assistance.

TCEQ is reporting the following Boil Water Notices (BWN) and Issues as of 1800 CDT on August 26, 2017:

Hurricane Harvey Boil Water Notice and Issue Tracking- 2017						
BWN/ Issue	Water System Name	Population	Issue/ Start Date	Rescind/ Start-up Date	County	BWN/Shutdown Reason
Shutdown	Matagorda Dunes Subdivision	426	8/25/2017		Matagorda	Mandatory Evacuation Notice
BWN	City of Corpus Christi	325733	8/25/2017	08/27/2017	Nueces	Being monitored closely
BWN	City of Goliad	2025	8/26/2017		Goliad	No electricity, generator not working
BWN	San Patricio County Municipal Water District	225	8/25/2017		San Patricio	
BWN	Flint Hills Resources	2183	8/26/2017		Nueces	
BWN	Port O'Conner Improvement District	1250	8/26/2017		Calhoun	
BWN	City of Victoria	62592	8/26/2017		Victoria	Generator should be there in 24 hours, limited water at this time and under BWN

Superfund NPL Sites

EPA Remedial Managers will initiate follow-up activities at the 24 Superfund NPL sites within the storm

path to conduct rapid damage assessments and determine if additional emergency cleanup activities are necessary.

SITE NAME	COUNTY
GULFCO MARINE MAINTENANCE	BRAZORIA
ALCOA (Point Comfort) / LAVACA BAY	CALHOUN
MALONE SERVICES COMPANY	GALVESTON
MOTCO, INC.	GALVESTON
TEX-TIN CORP.	GALVESTON
BRIO REFINING INC.	HARRIS
CRYSTAL CHEMICAL CO.	HARRIS
DIXIE OIL PROCESSORS INC.	HARRIS
FRENCH, LTD.	HARRIS
GENEVA INDUSTRIES / FUHRMANN ENERGY	HARRIS
HARRIS (FARLEY STREET)	HARRIS
HIGHLANDS ACID PIT	HARRIS
JONES ROAD GROUNDWATER PLUME	HARRIS
MANY DIVERSIFIED INTERESTS, INC	HARRIS
NORTH CAVALCADE STREET	HARRIS
PATRICK BAYOU	HARRIS
SAN JACINTO RIVER WASTE PITS	HARRIS
SIKES DISPOSAL PITS	HARRIS
SOL LYNN / INDUSTRIAL TRANSFORMERS	HARRIS
SOUTH CAVALCADE STREET	HARRIS
US OIL RECOVERY	HARRIS
PETRO-CHEMICAL SYSTEMS, INC. (Turtle Bayou)	LIBERTY
BRINE SERVICE CO.	NUECES
FALCON REFINERY	SAN PATRICIO

EPA Laboratory/ Analytical Services

EPA Houston Facility will remain closed on August 28, 2017 and most likely August 29, 2017. The laboratory and office building is not damaged; however, all nearby roadways are flooded. EPA mobile laboratory and response vehicles are secure and can be deployed when road conditions allow. EPA has back up capabilities for laboratory services should the Houston facility remain closed.

Data Management

EPA will provide technical support to state regulatory agencies both at the Texas General Land Office and Texas Commission on Environmental Quality to gather data and information in Response Manager, a systemized response data management system. For many years, EPA has been a leader in the development of data managements systems.

Communications

EPA is fully integrated into the Department of Homeland Security and FEMA communication structure and management. EPA has initiated its Crisis Communication Plan to ensure rapid response to providing coordinated, accurate, up-to-date information regarding its field activities. EPA Public Information Office will be established in Dallas with forward field components as needed to support HQ Office of Public Affairs.

Search and Rescue (SAR)

EPA is not currently participating in Search and Rescue (SAR); however, EPA does have access to resources and asset to assist if required.

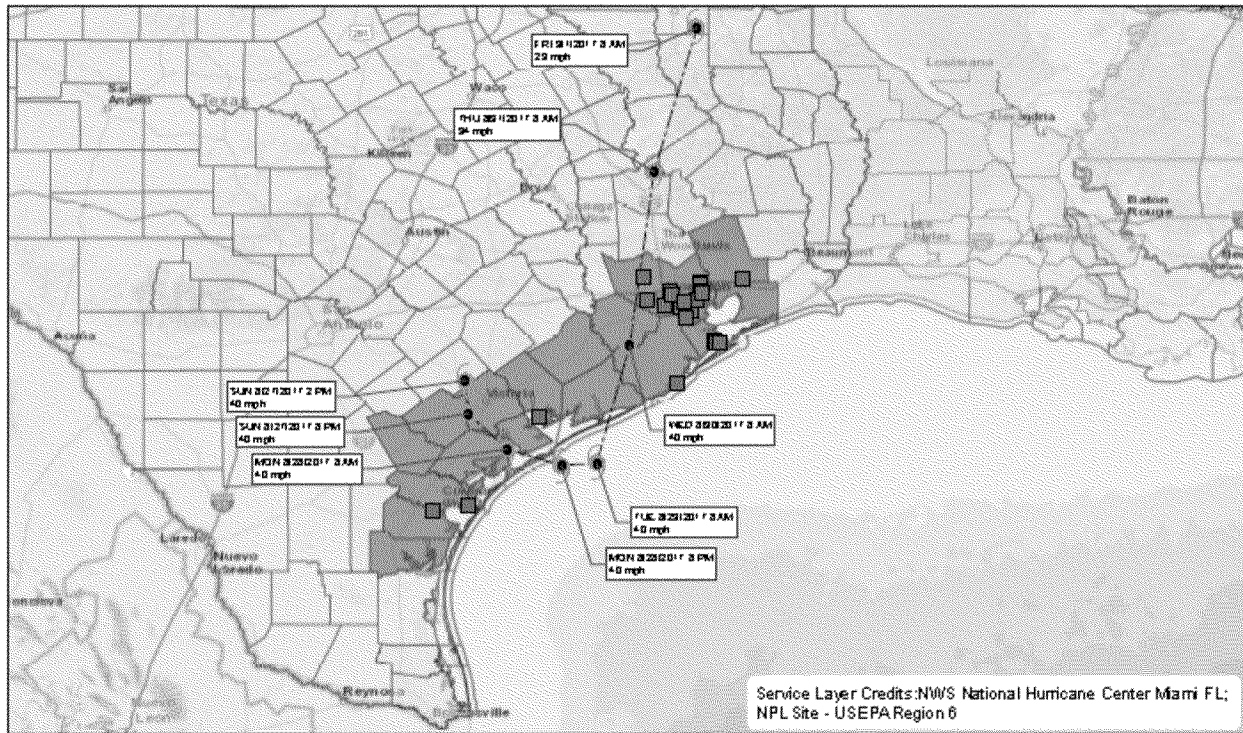
Refineries/Fuel Waivers

A second waiver request from the State of Texas was approved by Administrator Pruitt. It expands the waiver request to include the four-county Dallas/Fort Worth Reformulated Gas area, the 98 counties (includes 3 counties in Beaumont area) required to use low Reid Vapor Pressure Fuel, and the entire 110 county area required to use Texas Low Emission Diesel fuel. The State/EPA Emergency Fuel Waiver Team will continue to have coordination calls throughout the weekend. The State of Texas has conveyed their appreciation of EPA 's quick response regarding issuing the waiver(s).

The State of Louisiana is tracking the situation in Texas regarding the issuance of the waivers. No immediate request from Louisiana to initiate waiver process have been received at this time.

Funding

EPA is still working under FEMA Disaster Declaration Mission Assignment; however, the Region anticipates additional tasking from FEMA based on requests from the states. EPA is leaning forward and utilizing its own funding to assist with the Hurricane response activities. Tasking under the FEMA Mission Assignment has not changed and is limited. EPA Region 6 anticipates tasking from Texas Commission on Environmental Quality (TCEQ) and Texas General Land Office (TGLO) for ESF-10.



\\F:\C_Graphics\Harrvey\08-17\0274\F6_USDC_FedMap_Aug16.mxd, 8/17/17 3:05 PM, 20170827, 388, 744x1156 17:57:06-7 mxd

To: sooners7, adm[sooners7@epa.gov]
From: Ferguson, Lincoln
Sent: Tue 8/22/2017 7:16:20 PM
Subject: Governor Walker
20170821153752450.pdf
Call with Governor Walker 8-22-17.docx

Administrator –

Attached and below is the briefing for this afternoon's call with Governor Walker along with a copy of the letter the Governor's office sent us in regard to the topic. The call will take place at 4:45pm your time.

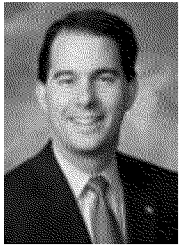
Call-in number: Ex. 6 - Personal Privacy

Thanks,
Lincoln

TO: Administrator Pruitt
FROM: Mandy Gunasekara, Troy Lyons
RE: Call with Governor Scott Walker (R-WI)
DATE: August 22, 2017

Purpose: Governor Scott Walker (R-WI) requested a brief call with you to discuss the non-attainment status for Sheboygan County, Wisconsin. The Governor will also discuss the importance of working together with his state to achieve shared environmental goals.

BIOGRAPHY



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BACKGROUND

Sheboygan County, Wisconsin is currently designated non-attainment under the 2008 ozone NAAQS. There are two monitors in the county—one along the lakeshore of Lake Michigan and one further inland. The designation is based on air monitoring data from a site located on the shoreline of Lake Michigan which reflects ozone transported from neighboring states and counties and is not reflective of local emissions. The state of Wisconsin has asked EPA to use its discretion under the CAA to avoid

NEXT STEPS

- Last Monday (August 14) EPA HQ and Region 5 spoke with Wisconsin's Air Director (Gail Good) regarding a partial redesignation of Sheboygan.
- The Director is developing a timeline for gathering and producing the materials needed to support a partial county redesignation. EPA will likely receive the information in a week or two.
- This redesignation is consistent with the state's request memorialized in a September, 2016 letter to EPA

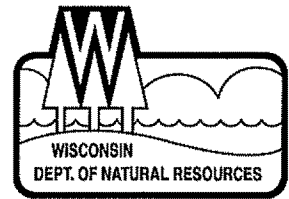
Lincoln Ferguson

Senior Advisor to the Administrator

Office of Public Affairs

U.S. EPA

(202) 564-1935



August 21, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue, NW
Washington, DC 20503

Administrator Pruitt:

Congratulations on your confirmation as Administrator of the Environmental Protection Agency (EPA).

As you know, state and federal environmental regulations and programs have matured significantly since major federal environmental laws were adopted decades ago. Under your Administration, this is an exciting time that provides us an excellent opportunity to review our regulatory climate to ensure we continue to protect the citizens of this country, while at the same time ensuring our regulatory structure is not unnecessarily burdensome. As co-regulators, we have the ability to examine the roles of the federal government and states in environmental regulation. In the states' role, we value the right to develop initiatives and deliver programs that meet the needs of the taxpayer and reflect local priorities and values. In order to best serve our citizens, and to make the best use of our resources, we need to work together to define our appropriate roles, and to do our work in the most efficient way possible.

In our dual roles as regulators, EPA sets federal environmental standards and generally delegates authority to the states to implement those standards, subject to EPA oversight. In the states' role as implementer, we are in a unique position to understand some of the challenges associated with implementing federal programs on the ground. In that regard, there are a number of ideas that we would like to advance for your consideration.

Tribal Regulation of Water and Air Quality Reform. Tribes have the ability to create their own air and water regulatory standards under the Clean Water and Clean Air Acts. In addition to applying to businesses on reservation lands, these standards also apply to businesses that have discharges or emissions that potentially impact water or air quality on reservations. These standards are in addition to any applicable state or federal standards. Overlaying another regulatory layer on top of existing state and federal regulations, which are designed to protect public health and the environment, discourages economic growth in these geographic areas.

While the Clean Water and Air Acts could be amended in a number of different ways to address this duplicative regulatory structure, there are also a number of actions that could be taken administratively. EPA has recently changed its interpretation of the Clean Water Act "Treatment as a State" (TAS) provisions to make it easier for tribes to establish water quality standards. In addition, EPA has also proposed to create water quality standards for tribes that have not adopted standards. EPA could return to its longstanding, original interpretation of the Clean Water Act "Treatment as a

State” provisions. It could also stop its efforts to impose additional water quality standards on sovereign nations.

Require EPA to Defer to State Permit Decisions for Delegated Programs

EPA should defer to state decision-making in regard to programs delegated to the state (e.g., Clean Air Act, Clean Water Act) except in extreme circumstances. Second-guessing state permitting decisions creates regulatory uncertainty and stifles investment. For example, after being asked for input, EPA questioned a state permitting decision made eight years earlier as a permit was coming up for renewal. This type of approach results in businesses not being able to rely on permitting decisions made by state entities that have met the requirements and been approved by EPA to implement these federal programs. In the event there is a disagreement, a change should be addressed prospectively and not in the context of revisiting past decisions.

Revising the Clean Air Act's National Ambient Air Quality Standards (NAAQS) and Permitting Problems. Pursuant to the Clean Air Act, EPA is required to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. EPA designates geographic areas as either meeting those standards (“attainment areas”), not meeting those standards (“nonattainment areas”), or as not having enough information to designate as attainment or nonattainment areas (“unclassifiable areas”).

Wisconsin has nonattainment areas and will probably have them in the future as standards are continually revised and often tightened. Considering regulations apply in these areas that do not apply elsewhere, manufacturing may be discouraged from investing in those areas. In addition, because Wisconsin nonattainment areas are largely caused by emissions occurring outside those areas, applying requirements inside the nonattainment areas often will not result in the areas meeting the standards.

Recommendations for consideration to address some of the challenges include fairly addressing ozone air transport issues. The Clean Air Act requires an area that exceeds a NAAQS to implement requirements to bring the area into attainment, even though the area may not be the source of emissions causing the violation (e.g., Sheboygan and Kenosha Counties, WI). Nonattainment areas should not be required to implement controls when emissions in the nonattainment areas are not the primary cause of the air quality problems. An additional recommendation is to modify the Clean Air Act to provide that revisions of the NAAQS are not required every five years. This timeframe is simply too short, and results in overlapping regulatory standards.

Further, EPA should speed up the process to re-designate nonattainment areas that now meet the NAAQS to attainment areas and allow for the concept of emission offsets to be used in attainment areas. EPA should also allow projects in attainment areas to move forward once appropriate control technologies are implemented or offsets obtained, even if modeling does not demonstrate compliance with the NAAQS. Additionally, in attainment areas, EPA should provide states with the flexibility in determining when modeling is necessary to determine compliance with a NAAQS. Finally, allow modeling to be based on “most likely” or actual scenarios rather than “worst case” or potential scenarios, while still protecting public health.

EPA Program Review. For environmental programs delegated to the states by EPA, the EPA frequently will opine on whether a certain practice, rule or statute adopted by the state is consistent with federal requirements. If not, EPA will require the state to change the practice, statute, or rule, to

be consistent with federal law. In many instances, the changes required by EPA have no or a nominal impact on how the state is implementing a specific regulatory program.

In these instances, the state usually communicates with EPA to ensure agreement that the proposal will address EPA's concern. This is important due to the effort that goes into addressing EPA's concerns, which can be substantial. For example, addressing these concerns can require the state to embark on a multi-year rulemaking process. There have been a number of instances in which the state thought it was addressing the concern after receiving feedback from EPA, only to find out later that it had not. This results in the state having to embark in another effort to address the issue.

Recommendations for consideration to address this challenge include creating a formal process by which states can request EPA to make a determination as to whether a proposal meets federal requirements. EPA should be required to respond within a certain time period, such as within 90 days of receipt of the proposal. EPA should also be required to explain what specific parts of the proposal does not meet federal requirements, and explain in detail why the proposal does not meet requirements. If EPA approves a proposal, it should be bound by that determination unless there is a federal law change (rule, statutory, or court decision) that makes its determination no longer valid.

Lack of Timely Responses for Approvals from EPA. EPA must approve many state actions under the Clean Water Act (CWA) such as administrative rules related to CWA implementation and permit variances. Often there are significant delays to obtain these approvals. This previously has delayed numerous permit issuances, caused confusion and uncertainty for stakeholders and added cost. For example, the multi-discharger variance request was submitted to EPA on March 30, 2016 and no approval decision has been forthcoming to date. This has delayed numerous permit issuances, caused confusion and uncertainty for stakeholders and added cost. Another timeliness concern relates to when EPA fails to provide timely guidance on major regulatory requirements, particularly when states are required to meet federal deadlines.

Recommendations for consideration to address this challenge include requiring federal agencies by statute or rule to approve certain state actions within a date unless an extension is mutually agreed to by the state. A failure to meet the deadline results in approval of the action. Another approach would be to establish metrics that require certain timeframes to be met, include corresponding performance objectives, and hold people accountable for missing deadlines.

Ten Year Permits. The Clean Water Act specifically restricts water discharge permits to five years in duration. Many permits, upon renewal, are simply a continuation of the existing permit. In order to minimize workload while continuing to protect the environment, revise the Clean Water Act to provide that permits may be for ten years in duration. If, during the ten year period, a significant change is warranted, (e.g., the facility wishes to significantly increase capacity or a new water quality standard is adopted), permits can be modified at that time. An alternative could be to allow 5 year extension options to permits instead of going through the full reissuance process as long as the permittee is in compliance and has no significant changes.

Significant Inconsistency in Regulatory Approach Between EPA Regional Offices. In EPA's current structure of the agency with a Headquarters and 10 regions, there appears to be a substantial amount of inconsistency with regard to implementing federal rule and law, federal guidance, enforcement, and approaches to working with state agencies. This diffused organizational structure contributes to this inconsistency given that it appears that EPA Regional Directors and staff have a fair amount of autonomy within their regions.

The effect of this inconsistency is that from an implementation perspective there are 11 EPA's. The result at the state level is the actual intent of federal rule, law, enforcement, and policy direction not being uniformly applied, which creates an uneven playing field for both businesses and states.

One option to address this issue is to re-organize EPA to a "line organization" in which all programmatic staff and supervisors in the regions report to a Program Director and management staff in EPA headquarters. Under this organizational structure, Regional Directors could focus on leading collaborative and innovative efforts with the states, leading significant projects and issues within their geographic areas, helping ensure that EPA programs are taking an integrated approach to regulation, and providing input on the feasibility of implementing rules and guidance.

Require EPA to Allow States Greater Flexibility to Customize Programs to Fit States' Needs.

States have a better idea about how to administer environmental programs in their states. The EPA's role should be to provide general sideboards (since air and water do cross state lines) but allow states greater flexibility to customize their programs to fit their needs – without constant federal approvals. EPA has a role to set overall performance standards for clean water and air, but states establish the details about how to accomplish them. EPA's approval role is limited to determining consistency with a broad standard. A model could be how the Natural Resource Conservation Services (NRCS) develops technical standards – a broad set of standards and topic areas to be addressed are identified at the national level, while states are allowed to fill in the details.

Require EPA to Inform States Prior to Conducting Work Within State Boundaries. If EPA intends to conduct any type of work, including studies, research, inspections, tribal or public meetings within a state, they should be required to reach out to and inform the appropriate state contacts. This will ensure good coordination and cooperation on regulatory issues and sharing of information.

Require EPA to Confer With States Before Policy or Regulatory Changes That Affect Those States. EPA should involve states early and often on policy or regulatory changes that are delegated for implementation by those states, including regional approaches or guidance.

Require EPA to Consult With States On Their Needs to Produce a Scientific Strategy on Water Quality Indicators and Other Matters. EPA could play a more active role in developing a scientific basis for actions based on state needs and feedback. An example is the decision on which bacteria species to base water quality standards. For many years it was fecal coliform, then EPA switched it to E. coli, and then it was a bacillus species. EPA then decided to study it further and there was no indicator species established. Eighty years later, after no progress, EPA went back to E. coli. Recommendations for consideration to address this challenge include EPA consulting with states as to their needs and establish a science strategy in consultation and collaboration with state programs.

Federal Agencies (EPA) Regulatory Reform. EPA should consult with states and potentially other stakeholders in the development of proposals to streamline or simplify regulations, and to explore creative alternative regulatory approaches. A deadline should be established to produce a list of proposals.

Revise the Clean Water Act's Grant Dollars to States (s. 319). Clean Water Act s. 319 grant dollars to states are restricted to be used for nonpoint source pollution abatement projects and further restricted to be used only in watersheds with specified plans (Nine Key Element) approved by EPA.

Recommendations for consideration to address this challenge include revising the Clean Water Act to allow greater flexibility in the use of these funds to include nonpoint-based pollution in permitted municipalities (storm water) and certain activities at CAFOS. Additionally, revise federal regulations to remove the restrictions that these funds may only be used in watersheds with approved "Nine Key Element" plans. Lastly, a suggested recommendation is to reduce the plan requirements. State programs could use these funds based on the greatest environmental need and/or outcome, rather than if there is an approved, complicated plan.

Coordinate the Timeline of Federal Regulation Dates. The states are constantly implementing new federal rules and sometimes they can interact and affect other rules. The federal government should better coordinate when rules are released and how they potentially affect other ones. In order to ensure coordination of rules, and to provide some certainty to the regulated community, any new rules should take into account the timing and impact of other existing or proposed rules.

For example, any new air quality rule proposals should include an analysis of other existing and proposed rules that may impact emissions that will also be regulated under the new rule, and issuance of these rules should be carefully coordinated so as to be issued contemporaneously. Companies should be ensured that when they make investments in control technologies that investment will be sufficient to meet regulatory requirements for a defined period of time. EPA needs to provide adequate implementation timelines for new requirements.

New Review System for State Compliance with Federal Requirements. EPA, when exercising its approval authority over state actions (e.g., administrative rules, variances, floodplain maps) will often indicate approval over the course of working on the issue only to raise significant objections at the last minute, or after the state has finalized an approval. This significantly increases the workload by state staff to address these last minute objections and adversely affects the credibility of the state with its stakeholders, who may have been through years of good-faith negotiations. Federal agencies should have a deadline to exercise approval authority over state actions that is consistent with state processes.

In addition, there should be a new, formal process by which states can request EPA to make a determination as to whether a proposal meets federal requirements. EPA should be required to respond within certain a time period, such as within 90 days of receipt of the proposal. If EPA determines all or part of a proposal does not meet federal requirements, EPA should be required to explain what specific parts of the proposal do not meet federal requirements.

If EPA approves a proposal, it should be bound by that determination unless there is a federal law change (rule, statutory, or court decision) that makes its determination no longer valid.

Same Project/Different Programs. Different programs in EPA will pursue the same project with different programs at the state level. This results in duplication, confusion and inconsistency. A recommendation to solve this issue is to require EPA to have a multi-discipline project coordination team so that different programs within these large agencies have a better idea of what the other is doing – especially for major and expensive initiatives.

Require Federal Agencies to Consult with States as an Integral Partner in Establishing National Environmental Policy. Federal environmental regulations are often established without adequate state involvement or input. An example is the Waters of the United States (WOTUS) rule. Require federal agencies to offer a consultation role to states as an integral partner in establishing national environmental policy. In the WOTUS rule example, states were not consulted at all in its development. The state agency could have informed EPA of the ramifications of their approach, worked with EPA to address many of the current concerns and perhaps had a workable rule, avoiding much of the controversy and legal time and cost.

We would welcome the opportunity to discuss these concepts with you in more detail at your convenience.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Cathy Stepp", written in a cursive style.

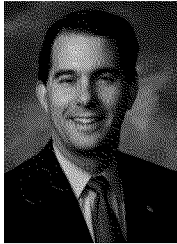
Cathy Stepp
Secretary

CC: Governor Scott Walker
Wisconsin Congressional Delegation

TO: Administrator Pruitt
FROM: Mandy Gunasekara, Troy Lyons
RE: Call with Governor Scott Walker (R-WI)
DATE: August 22, 2017

Purpose: Governor Scott Walker (R-WI) requested a brief call with you to discuss the non-attainment status for Sheboygan County, Wisconsin. The Governor will also discuss the importance of working together with his state to achieve shared environmental goals.

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To: sooners7, adm[sooners7@epa.gov]
From: Bowman, Liz
Sent: Mon 7/31/2017 2:33:59 PM
Subject: FW: Breitbart: EPA Admin Scott Pruitt's Hometown Paper: Left-Wing 'Fishing Expedition' on Trips Back to Oklahoma, 7/31/17

Breitbart

<http://www.breitbart.com/big-government/2017/07/30/pruitts-hometown-paper-left-wing-fishing-expedition-trips-back-oklahoma/>

EPA Admin Scott Pruitt's Hometown Paper: Left-Wing 'Fishing Expedition' on Trips Back to Oklahoma

By Penny Starr, 7/30/17

Environmental Protection Agency (EPA) Administrator Scott Pruitt—former Senator and Attorney General from Oklahoma—was investigated by a left-wing environmental group for his trips back to his home state, some of which included the spending of taxpayer dollars.

Environmental Integrity Project (EIP) sought information about Pruitt's trip with a Freedom of Information Act request that revealed Pruitt had traveled to Oklahoma about 10 times, ABC News reported on Friday.

The trips estimated cost is \$15,000, according to ABC News.

The report also included news that EIP has now asked for the U.S. Office of Special Counsel to investigate the matter, which legal watchdog group American Oversight said could mean Pruitt violated federal rules by using government resources for personal or political purposes.

But Pruitt's hometown newspaper, the Tulsa World, published an editorial on Sunday over the flap about Pruitt's travels, praising the native son as in touch with real Americans and accusing environmental activists of conducting a "fishing expedition."

The editorial, entitled “Tulsa World editorial: Heaven forbid! Scott Pruitt is going home on weekends! A not-so-stunning revelation about the EPA chief ’s use of taxpayer funds,” said:

If we were supposed to [be] shocked to learn that EPA Administrator Scott Pruitt is going home on weekends, we’re not.

A fishing expedition request for Pruitt’s EPA expense accounts by an environmentalist advocacy group pretty much discovered just that, and that he was spending some public money along the way and met with people that the advocates don’t approve of.

The New York Times first reported the results of a Freedom of Information request for Pruitt’s expense accounts filed by the Environmental Integrity Project, which has a history of blocking development and encouraging regulation. The findings: Pruitt returned to his Tulsa home at least 10 times in his first three months in office, costing taxpayers more than \$15,000.

During his trips home, Pruitt made some stops, including an informational meeting at the Brainerd Chemical Company in Tulsa and a speech to the Heritage Foundation in Colorado.

As outrages go, it’s not worth much.

The Washington press corps and the environmental lobby might prefer that the EPA boss be held captive on the East Coast and that he hear nothing but the opinions of “green” lobbyists, but the people out in fly-over country like it when we’re being heard, too.

We prefer it when the people at the top of the nation’s bureaucratic pyramid get out of the Beltway once in a while to talk to ordinary Americans. If Pruitt is coming home to see his friends, family, neighbors and some of the people he regulates, then good for him. That sounds like the acts of a balanced man who wants to know the thinking of the public, not just the pro-regulation lobbyists.

ABC also reported that Pruitt was in Oklahoma on Thursday to talk with the editorial board of the *Oklahoman* newspaper and with ranchers who live and work on the Oklahoma Panhandle.

A local TV station reported that Pruitt said the criticism of his travel was an attack by his critics.

“The folks talking about this, one, their facts are wrong and that’s not a surprise, but it’s an alt-EPA,” Pruitt said.

Nicholas Sorokin

Office of Media Relations Intern

U.S. Environmental Protection Agency

Telephone: (202) 564-5334

sorokin.nicholas@epa.gov

To: sooners7, adm[sooners7@epa.gov]
From: Bowman, Liz
Sent: Mon 7/31/2017 1:37:04 PM
Subject: EPA Morning News Highlights 7.31.17
EPA Morning News Highlights 7.31.17.docx

Oklahoma Morning News Highlights 7.31.17

The Oklahoman: Rick Dearborn Is A 'Good Ol' Boy From Oklahoma' In The White House

Three decades in Washington have not cost deputy White House chief of staff Rick Dearborn his folksiness. “Heck” and “doggoned” pepper his sentences. His mother is still “Momma.” The White House budget director is “ol’ Mick Mulvaney.” In an executive branch full of outsized personalities, the 52-year-old Dearborn is publicly unknown. He’s never been a guest on cable news or the credited architect of divisive legislation. He’s uninterested in press reports of palace intrigue and denies interview requests. He agreed to be interviewed by The Oklahoman only because his mother reads it.

The Oklahoman: Scott Pruitt Talks EPA, Pesticides And Future Elections

Critics and supporters of Environmental Protection Agency Administrator Scott Pruitt have found common ground in their shared belief that the former Oklahoma attorney general is operating with an efficiency and zeal beyond that of his predecessors. “There’s a tremendous amount of attention and a tremendous amount of focus that’s going into our agenda and the president has given us that charge,” Pruitt said during an interview Thursday.

Tulsa World: Heaven Forfend! Scott Pruitt Is Going Home On Weekends!

We prefer it when the people at the top of the nation’s bureaucratic pyramid get out of the Beltway once in a while to talk to ordinary Americans. If Pruitt is coming home to see his friends, family, neighbors and some of the people he regulates, then good for him. That sounds like the acts of a balanced man who wants to know the thinking of the public, not just the pro-regulation lobbyists. It’s apparent to us, and we suspect to Pruitt, that environmental extremists are determined to find anything they can use against him, including this not-so-damning evidence that he hasn’t abandoned his family.

EPA Morning News Highlights 7.31.17

Axios: How America Got Its Most Powerful EPA Boss

Scott Pruitt is the most aggressive leader of the Environmental Protection Agency in its almost 50-year history. But he didn't come out of nowhere. His ascendance to the agency reflects changing politics of the past few decades.

Reuters: U.S. Coal Exports Soar, In Boost To Trump Energy Agenda, Data Shows

U.S. coal exports have jumped more than 60 percent this year due to soaring demand from Europe and Asia, according to a Reuters review of government data, allowing President Donald Trump's administration to claim that efforts to revive the battered industry are working. The increased shipments came as the European Union and other U.S. allies heaped criticism on the Trump administration for its rejection of the Paris Climate Accord, a deal agreed by nearly 200 countries to cut carbon emissions from the burning of fossil fuels like coal.

The Associated Press: EPA To Give Update On Lead-Tainted Evansville Superfund Site

The U.S. Environmental Protection Agency is ready to give Evansville residents an update on its cleanup of the city's lead-tainted Superfund site. The federal agency will host a Monday open house at the Evansville Vanderburgh Public Library to discuss the southwestern Indiana site's ongoing cleanup and answer questions about lead soil sampling, test results and public health.

National Evening News Highlights 7.28.17

The Wall Street Journal: Russia to Cut 755 U.S. Diplomats, Staff Amid New Sanctions

Russian President Vladimir Putin said Sunday that the U.S. would have to cut 755 diplomats and staff in the country by September in retaliation for impending U.S. sanctions on Moscow. In an interview with Russian state television, Mr. Putin said the U.S. presence in Russia would be reduced by more than half, following the passage of new sanctions legislation by Congress that has further frayed ties between Moscow and Washington. The White House has indicated that President Donald Trump plans to sign the legislation.

The Associated Press: Trump Insists There's No Chaos At White House

President Donald Trump insisted Monday there is no chaos at the White House, even as his new chief of staff is entering a West Wing battered by crisis. Retired Gen. John Kelly, previously the Homeland Security secretary, takes over Monday from the ousted Reince Priebus, bringing his military experience to an administration weighed down by a stalled legislative agenda, a cabal of infighting West Wing aides and a stack of investigations. While Trump is looking for a reset, he pushed back against criticism of his administration on Twitter Monday. He said: "Highest Stock

Market EVER, best economic numbers in years, unemployment lowest in 17 years, wages raising, border secure, S.C.: No WH chaos!”

The Wall Street Journal: U.S. Companies Post Profit Growth Not Seen In Six Years

America’s largest companies are on pace to post two consecutive quarters of double-digit profit growth for the first time since 2011, helped by years of cost-cutting, a weaker dollar and stronger consumer spending. Earnings at S&P 500 companies are expected to rise 11% in the second quarter, according to data from Thomson Reuters, following a 15% increase in the first quarter. Close to 60% of the firms in the index have reported second-quarter results so far.

The Wall Street Journal: Climate Change Isn’t The End Of The World

Climate change is often misunderstood as a package deal: If global warming is “real,” both sides of the debate seem to assume, the climate lobby’s policy agenda follows inexorably. It does not. Climate policy advocates need to do a much better job of quantitatively analyzing economic costs and the actual, rather than symbolic, benefits of their policies. Skeptics would also do well to focus more attention on economic and policy analysis.

TRUMP TWEETS

The Oklahoman

<http://newsok.com/article/5558009>

Rick Dearborn Is A 'Good Ol' Boy From Oklahoma' In The White House

By Justin Wingerter, 7/30/17

One morning in the early months of President Donald Trump's presidency, chief of staff Reince Priebus stood before a meeting at the West Wing. Gripping two news articles in his hand, he motioned toward chief White House strategist Steve Bannon.

“Hey, Steve, it says here I want to stab you in the back,” Priebus said.

Bannon, holding two news articles of his own, responded in kind.

“Hey, Reince, it says here I want to club you like a baby seal,” he said.

Seated between them and laughing heartily was a self-described “good ol’ boy from Oklahoma,” a fast-talking politico whose stream-of-consciousness spiels still harbor a slight Sooner State twang.

Three decades in Washington have not cost deputy White House chief of staff Rick Dearborn his folksiness. “Heck” and “doggoned” pepper his sentences. His mother is still “Momma.” The White House budget director is “ol’ Mick Mulvaney.”

In an executive branch full of outsized personalities, the 52-year-old Dearborn is publicly unknown. He’s never been a guest on cable news or the credited architect of divisive legislation. He’s uninterested in press reports of palace intrigue and denies interview requests. He agreed to be interviewed by The Oklahoman only because his mother reads it.

“If she has some sense that I’m actually working, doing a good job, then I think that’s a good thing.”

‘Sure you are, honey’

The Air Force service of Dearborn’s father took him to World War II, Korea and Vietnam. It brought young Rick and his two sisters to Oklahoma — first Del City, then Edmond.

He was an unusually gregarious child, always talking and smiling, says his mother, Joyce, who still lives in Edmond. He had a paper route, tossing the Edmond Sun into yards and onto porches.

In the eighth grade, he traveled to Washington, D.C. on a class trip. Instantly, he was hooked.

“When he came home, he said, ‘I’m going to live in Washington, D.C.,’” Joyce Dearborn recalls. “I said, ‘Sure you are, honey.’”

Two days before Rick Dearborn's 15th birthday, the Republican Party formally chose as its presidential nominee Ronald Reagan. Among his campaign slogans was “Let's Make America Great Again.”

“I started tracking the Reagan presidential race and it just really appealed to me, what he was saying about limited government and the shining city on the hill,” Dearborn said. “It appealed to me and I got very involved in it.”

Dearborn was president of his senior class at Edmond Memorial High School, a detail he never mentioned in a 30-minute interview but one his mother was eager to discuss, as mothers do. Then it was on to the University of Oklahoma for a degree in public administration and economics.

That took him to Washington, where he worked for six senators, most notably as chief of staff to Jeff Sessions, the conservative Republican from Alabama. Co-workers along the way included a young Paul Ryan, now the House speaker, and Stephen Miller, a conservative firebrand credited with crafting the president's controversial travel ban.

Subway sandwiches with Donald

In 2005, the United Nations announced plans to renovate and expand its historic headquarters along Manhattan's East River. It requested \$1 billion for the job, plus an additional \$500 million

in interest payments.

Sessions and then-U. S. Sen. Tom Coburn, an Oklahoma Republican, thought that was an outrageous amount of money and sought an expert to tell Congress as much. As Dearborn and his boss mulled their options, the senator turned to his assistant.

“Hey, see if you can get Donald Trump on the line,” Sessions said.

With characteristic bravado, Trump told Sessions he could build a better building for half the price. He agreed to testify at a subcommittee hearing Coburn chaired, telling senators what he had told Sessions. Afterward, he and his newly pregnant wife, Melania, sat in Sessions' office with Dearborn as the senator returned to the chamber for votes.

“I remember we ordered Subway sandwiches and I kept thinking to myself, I'm sitting in Senator Sessions' office eating a Subway sandwich with Donald Trump and his wife, talking about how much money you could save building a building on the government's dime,” Dearborn recalled.

A year before, NBC's “The Apprentice” had made Trump a household name outside New York. Twenty-eight million people watched the season finale and several were among Sessions' staff. After 10 minutes of eating sandwiches, Dearborn asked the brash billionaire if he would mind meeting his fans.

“I'll be doggoned if he didn't take a picture with every single person in that office. He was just one of the most delightful guests that we ever had,” Dearborn said. “So, that's how we first met. Then, of course, he runs for president and Sessions endorses him and the rest is history after that.”

Dearborn worked for Sessions for 20 years, a dozen of those as chief of staff. When Dearborn was nominated for a Department of Energy post that required Senate confirmation, Sessions called Dearborn “one of the finest people I've gotten to know in Washington.” The head of governmental affairs at the University of Alabama once referred to Dearborn as “the hand of the king.”

Former U.S. Rep. Jo Bonner, R-Ala., has known Dearborn for decades as a "hard worker and an honest broker." In a capital city known for callousness, Dearborn's kindness set him apart, Bonner says.

"If he tells you it's going to rain outside, you don't need to look, just grab an umbrella. He's a straight shooter," Bonner said.

On April 20, 2010, an explosion off the coast of Louisiana set off the largest oil spill in American history. Dearborn went to work contacting his Capitol Hill sources and corralling leaders of Gulf Coast states to lobby for a change in federal law. The result was the RESTORE Act, signed by President Barack Obama, that set aside funds from the oil company BP for cleanup efforts.

Last February, during the presidential primary, Sessions took a risk by being the only senator to endorse Trump, a political novice who worried some Republicans and insulted others. Dearborn joined the campaign in Washington, selling skeptical politicians, aides and lobbyists on the agenda of Trump, who knew little about the capital and its inner workings. It's a role he hasn't relinquished.

The Instagram account of Gina Dearborn, Rick's wife, shows a couple winding along Trump's strange road to the presidency. There are photos of them at the Republican National Convention and the inauguration and outside the White House. There are photos of her with first daughter Ivanka Trump, presidential candidate Ben Carson, New Jersey Gov. Chris Christie, Fox News host Jesse Watters, and former Trump campaign manager Paul Manafort.

With Trump's unexpected victory in November, Dearborn was propelled to a level of influence he couldn't have dreamed of as an eighth-grader touring the capital. He was named executive director of the Trump transition team and, after that, deputy White House chief of staff in charge of policy. Former House Speaker Newt Gingrich called Dearborn's hire a "great pick" by Trump.

The Instagram photos began coming from inside the White House — photos of the Dearborns in

the Oval Office, in the press briefing room, in the White House movie theater and hosting Attorney General Jeff Sessions at their home. They had arrived at 1600 Pennsylvania Avenue.

Palace intrigue

On a sweltering Thursday afternoon in mid-July, Dearborn is seated in a corner office on the northwest side of the West Wing. On massive whiteboards he has planned the president's schedule through Labor Day, what he calls "a herculean task." His own schedule contains meetings at 7 a.m., 8 a.m., 9:15 a.m., 11 a.m., 11:30 a.m., 1:30 p.m., 2:30 p.m., 3 p.m., 4 p.m., 4:30 p.m., 5 p.m., 5:30 p.m., 6 p.m., 7 p.m. and 8:30 p.m. that day. He typically works seven days a week.

"By the time you get back to your desk after all the meetings you have with folks and the phone calls you made and the trips into the Oval Office and down to the chief of staff's office — talking with Cabinet secretaries and you name it — it's about 8, 9, 10 o'clock at night," he said.

If an elected official is in contact with the White House, Dearborn knows about it. He oversees the legislative affairs department, 20 staffers who coordinate with Congress. Cabinet members go through Dearborn before they talk with Trump. So, too, do state officials, county commissioners and the nation's 3,600 mayors.

Trump, in a statement to The Oklahoman, called Dearborn "a great asset to the administration."

"Our mission to Make America Great Again depends on talented people like Rick, who work hard every single day on behalf of the people of our country," the president said. "I appreciate his dedication and support. His home state of Oklahoma should be very proud of the work he is doing."

Trump's relationship with congressional Republicans has, at times, appeared rocky. He's complained about their inefficiencies; they've complained about his erratic tweets. He's criticized House Speaker Paul Ryan, the most powerful congressional Republican, and U.S. Sen. John McCain, a revered figure in Congress. Meanwhile, the party's top legislative priorities —

Affordable Care Act repeal and tax reform — loom.

Dearborn is defensive of Trump's legislative accomplishments, noting the high quantity of executive orders and bills he has signed, but acknowledges “one thing that the media will wind up grading every president for is the types of legislation that they sign.” He knows the president's top legislative priorities remain unaccomplished.

The press-averse Dearborn refers to news articles of dysfunction in the White House as “noise in the box.” He was interviewed a day after Trump said he regrets appointing Sessions as attorney general and a day before press secretary Sean Spicer resigned amid a communications team shake-up.

“I've talked to friends of mine who worked for Reagan, who worked for Daddy Bush, who worked for Dubya, even for Clinton,” Dearborn said. “What they'll tell you is that it does always seem more intense when you're in here, when it's your presidency that you're dealing with. But to be honest with you, the media has always tried to push a lot of these palace intrigue stories. Sometimes they're right, sometimes they're wrong.”

Trump's public admonishments of Sessions — Dearborn's longtime boss and the link between him and the president — could place the deputy chief of staff in an unenviable position of choosing between the two if the relationship further sours. Dearborn said he believes Trump has confidence in Sessions and brushed aside one source of their disagreement: multiple investigations into the Trump campaign's ties to Russia.

“Hell, Reagan had a special prosecutor, Clinton had a special prosecutor, Dubya had a special prosecutor. This isn't that different from others in the past who have had to go through it,” Dearborn said. “You compartmentalize it. You have to realize that lawyers and a lot of others have to deal with that stuff and you just do your job and try to focus on doing right by the president and by the country.”

It was an Oklahoma City attorney, Lawrence Walsh, who investigated the Iran-Contra affair during Reagan's presidency, resulting in multiple indictments and two convictions. An investigation into President Bill Clinton led to his impeachment. A 2003 investigation during the presidency of George W. Bush resulted in the conviction of Scooter Libby, an adviser to the vice

president.

Regardless of what happens next in Trump's White House, Dearborn will likely remain the same — low-key, reserved, behind the scenes. As Bonner, the former congressman, puts it, "He's not one to rush to the microphones, he's one to sit back and listen." It's a formula that has taken him from the halls of Edmond Memorial to the halls of power.

"My daddy used to always say, 'If you can be a workhorse versus a show horse, then be the workhorse.' So, I just try to keep my head down and do my job."

The Oklahoman

<http://newsok.com/scott-pruitt-talks-epa-pesticides-and-future-elections/article/5558202?articleBar=1>

Scott Pruitt Talks EPA, Pesticides And Future Elections

By Justin Wingerter, 7/31/17

Critics and supporters of Environmental Protection Agency Administrator Scott Pruitt have found common ground in their shared belief that the former Oklahoma attorney general is operating with an efficiency and zeal beyond that of his predecessors.

"There's a tremendous amount of attention and a tremendous amount of focus that's going into our agenda and the president has given us that charge," Pruitt said during an interview Thursday.

In February, Pruitt took over a federal agency that had, in his words, "lost its moorings." He has compared disdain of the EPA to that directed at the Internal Revenue Service and told a conservative gathering that critics of the agency were justified in their scorn.

“What people are justified feeling is the oppressiveness and the paternalism and the use of regulatory power to pick winners and losers,” Pruitt said Thursday.

The ardor with which Pruitt set out to change an agency of 15,000 employees with a budget of \$8 billion has made him a polarizing figure, beloved by industrialists and despised by environmentalists. No one is surprised, however, that the man who sued the EPA more than a dozen times as attorney general is steadfastly rolling back many of the regulations he fought in court.

“I think it's really unique in the history of the agency,” said Al Armendariz, a former regional EPA administrator. “I'm not aware there's ever been an environmental administrator with an agenda to roll back environmental regulations one after another.”

Chad Warmington, president of the Oklahoma Oil and Gas Association, said, “It doesn't surprise me at all that Scott has hit the ground running.”

Chlorpyrifos

Since 1965, the pesticide chlorpyrifos has been in wide use on everything from corn to fruit to broccoli and, outside agriculture, on golf courses and in greenhouses.

In high enough doses, the chemical overstimulates the nervous system, causing nausea and dizziness. In extremely high exposures, it can paralyze the respiratory system, leading to death. After EPA scientists determined minuscule amounts can hinder brain development in fetuses and infants, the American Academy of Pediatrics urged Pruitt to ban the pesticide from being sprayed on food.

A judge demanded a decision by March and Pruitt had a month to make up his mind after taking office. He denied the ban request, citing a separate study from the U.S. Department of Agriculture that questioned the EPA's methodology and its “mistaken conclusion that chlorpyrifos, as it is currently used, is unsafe.”

“We have a review, other agencies have a review, and there was competitiveness between those viewpoints. It doesn't mean there's not going to be continued study,” Pruitt said. “That doesn't mean this won't be reviewed in the future. It just meant that at that time, based on the information that had been supplied and the perspective of the USDA, there was not clarity on whether that pesticide should be banned. It had been used for decades. You don't do those things lightly.”

The AAP, which represents 66,000 doctors, said the decision “contradicts the agency's own science and puts developing fetuses, infants, children and pregnant women at risk.” Chlorpyrifos is scheduled to be re-reviewed in 2022. Meanwhile, a lawsuit is pending.

'Red team-blue team'

In April, a Wall Street Journal commentary caught Pruitt's attention and hasn't let go. It recommended the creation of a so-called “red team-blue team” debate on climate change. The blue team would be scientists arguing that climate change is occurring and is the result of human actions. Red team scientists, organized by Pruitt and President Donald Trump's administration, would take an opposing view.

“The American people deserve an honest, open, objective and transparent discussion on what do we know and what don't we know,” Pruitt said, but added that no formal decision has been made on whether to organize the teams.

“It's not a question of whether the climate changes. I'm not even sure what that means when people say, ‘I believe in climate change.’ The climate is always changing,” he said. “We have warming trends, we have cooling trends, and no one debates that. No one debates that, by our activity, we contribute to climate change in some measure, we just don't know how precise or how much we contribute. That's something that's difficult to measure with precision.”

Pruitt is fond of a New York Times column published in April. The column, by Bret Stephens, argues that the Earth is warming and humans are at least partly to blame. But Stephens — and now Pruitt — believe environmental advocates outpace the science they cite, making dire

predictions unsupported by evidence. For Pruitt, the answer to Stephens' concerns is a red team-blue team debate, perhaps on television.

“There are questions that have to be asked and answered,” he said. “Is (climate change) unsustainable? Does it pose a significant or meaningful threat? What can we do about it? Do we know what the ideal average global surface temperature is or what it should be?

“There's a whole lot of questions that need to be discussed and scientists getting in a room — red team of scientists and blue team of scientists — and having a meaningful discussion or debate about those things, I think, would help serve the American people and help inform policymakers on what steps should or should not be taken to address the issue,” Pruitt said.

'A seat at the table'

Each year for the past couple decades, the Oklahoma Farm Bureau has traveled to the nation's capital to lobby lawmakers. This year, for the first time in the history of those tours, the farm bureau was allowed into the EPA.

“Administrator Pruitt is very well organized and has really done a great job,” said LeeAnna McNally, the group's director of national affairs.

Farmers and ranchers, along with oil and gas groups, have had an adversarial view of the EPA for much of the past decade. They believe the EPA has run roughshod over their industries with regulations written and implemented without their input. That has changed under Pruitt.

“What Scott gave us is a seat at the table,” Warmington said. “We don't run the table but we have a seat.”

Tim Wigley, president of the Oklahoma Independent Petroleum Association, struggled to name an EPA administrator friendlier to the industry than Pruitt. Administrators under President

George W. Bush were not as hostile as those under President Barack Obama, he said, but none are like Pruitt.

“We in the industry appreciated what he's trying to get done and the zeal with which he's getting it done,” Wigley said.

Industry groups believe regulations should be a partnership between the regulators and the regulated. They believe companies can adequately monitor themselves, driving down emissions without federal control.

“We're the real environmentalists and the original environmentalists,” McNally said of farmers and ranchers.

No carte blanche

Armendariz, the former EPA regional administrator, finds it ridiculous that oil and gas groups say they didn't have input under Obama. Administrators Lisa Jackson and Gina McCarthy were open and reasonable, he said, noting that Jackson attended Tulane University on a scholarship from Shell Oil.

“Under eight years of President Obama, there was a massive expansion of oil and gas in this country,” Armendariz said.

To environmentalists, Pruitt is exactly the EPA administrator they thought he would be. That's bad news for EPA employees, Armendariz said. He believes proposed budget cuts and negative statements by Pruitt have harmed morale.

On July 3, a federal appeals court ruled the EPA cannot pause a rule to lower methane emissions from new gas and oil wells. Environmentalists have placed their faith in federal courts to stop, or at least slow, Pruitt, just as Pruitt used the judiciary to hinder Obama's EPA while attorney

general. The irony does not escape them.

“Certainly, the federal judiciary has already shown Administrator Pruitt and the White House don't have carte blanche to do whatever they want when it comes to environmental law,” Armendariz said.

Johnson Bridgwater, director of the Oklahoma Sierra Club, said membership in his group has risen 18 percent since the November election. He has heard similar stories across the country as Pruitt's tenure increases donations and memberships at environmental groups.

“We're very happy to see the citizens of the United States stand up and say they want America to be regulated,” he said.

Pruitt's future

On Thursday morning, Pruitt spoke to a small gathering in the Oklahoma panhandle. His travels to Oklahoma and beyond have garnered criticisms and spurred speculation he will run for governor in 2018 or a U.S. Senate seat in 2020.

“To think somehow that ... I would go through a confirmation process which, by any measure, is pretty intense, serve five months and move to Washington, D.C. in order to run for governor ... I mean, who would do that? For folks to think that, it's just legendary. People, they don't think through these things,” Pruitt said.

When asked if he was committed to remaining in the Trump administration for four years, Pruitt hesitated before declining to speculate. He said he didn't know he would be attorney general or the owner of a baseball team, so how could he predict what's next?

“I'll do it as long as the Lord calls me to and as long as the president wants me to do it,” Pruitt said.

Tulsa World

http://www.tulsaworld.com/opinion/editorials/tulsa-world-editorial-heaven-forfend-scott-pruitt-is-going-home/article_d54095df-4a88-5e5f-910b-34fa0944d8d4.html

Heaven Forfend! Scott Pruitt Is Going Home On Weekends!

By Tulsa World, 7/30/17

If we were supposed to be shocked to learn that EPA Administrator Scott Pruitt is going home on weekends, we're not.

A fishing expedition request for Pruitt's EPA expense accounts by an environmentalist advocacy group pretty much discovered just that, and that he was spending some public money along the way and met with people that the advocates don't approve of.

The New York Times first reported the results of a Freedom of Information request for Pruitt's expense accounts filed by the Environmental Integrity Project, which has a history of blocking development and encouraging regulation. The findings: Pruitt returned to his Tulsa home at least 10 times in his first three months in office, costing taxpayers more than \$15,000.

During his trips home, Pruitt made some stops, including an informational meeting at the Brainerd Chemical Company in Tulsa and a speech to the Heritage Foundation in Colorado.

As outrages go, it's not worth much.

The Washington press corps and the environmental lobby might prefer that the EPA boss be held captive on the East Coast and that he hear nothing but the opinions of "green" lobbyists, but the people out in fly-over country like it when we're being heard, too.

We prefer it when the people at the top of the nation's bureaucratic pyramid get out of the Beltway once in a while to talk to ordinary Americans. If Pruitt is coming home to see his friends, family, neighbors and some of the people he regulates, then good for him. That sounds like the acts of a balanced man who wants to know the thinking of the public, not just the pro-regulation lobbyists.

It's apparent to us, and we suspect to Pruitt, that environmental extremists are determined to find anything they can use against him, including this not-so-damning evidence that he hasn't abandoned his family.

Axios

How America got its most powerful EPA boss

By Amy Harder, 7/31/17

Scott Pruitt is the most aggressive leader of the Environmental Protection Agency in its almost 50-year history. But he didn't come out of nowhere. His ascendance to the agency reflects changing politics of the past few decades.

My thought bubble: When the nonstop Twitter-sized news cycle makes everything seem like the biggest and newest deal ever, tracking down historical context is a worthy exercise. Pruitt's environmental views are actually in line with most of the Republican Party since Ronald Reagan was elected president in 1980. What's changed is how empowered Pruitt is under President Trump, the emergence of climate change as a top environmental issue and a prior administration that was aggressive in its own right issuing regulations.

In interviews with four former EPA bosses and many other longtime agency watchers, a clearer picture emerges of where Pruitt's still new but already controversial stint fits into EPA's history.

Pruitt stands out as an outlier in EPA's history for three reasons.

1. Most past Republican presidents nominated EPA administrators who were more to the left on environmental issues than the Republican Party writ large. That's not the case this time with Pruitt, a former attorney general of Oklahoma with very little expertise in environmental issues. Like most Republicans in public office at the federal level, Pruitt opposes most regulations, questions climate change science and emphasizes economic growth. This dynamic empowers Pruitt because there's no tension between the EPA and White House like there has been in prior Republican administrations, such as between then-EPA Administrator Christine Todd Whitman and the George W. Bush White House. There's also little tension with the GOP-controlled Congress.

2. The EPA has (mostly) solved the most basic and widespread public health and environmental problems that plagued the U.S. back around the '60's. Climate change is now the top environmental issue in the country. That politicizes the EPA, makes it less of a big deal to average Americans and fuels antipathy from elected Republicans, most of whom don't acknowledge it's a real issue.

3. The Obama administration issued a steady stream of major regulations on climate change and other more traditional pollution, which were partly prompted by inaction or lawsuits from the Bush administration. It was one of the most aggressive EPA's ever, and the first one to address climate change. Those two things swung Washington's political pendulum to the left, and then stirred political momentum to swing it to the right.

"Getting compared to who came before and who came after is inevitable," said Carol Browner, the longest-serving EPA administrator in history who ran the agency under Democrat President Bill Clinton. "If you follow an inactive administration it looks like you're active and you are because that's your job."

Pruitt's leadership so far most closely resembles that of the late Anne Gorsuch Burford, the first EPA administrator under Reagan who resigned two years into her tenure. She faced backlash for cutting the agency's budget and repealing a host of Carter-era policies. Pruitt is the first EPA boss since her to prioritize repealing regulations.

"A few prior EPA Administrators have given lip service to regulatory reform, but they have always focused on leaving an environmental legacy," said Jeff Holmstead, a top EPA official in the Bush administration and a former frontrunner to be the No. 2. official in Trump's EPA. "Administrator Pruitt has shown that he is much more interested in reducing regulatory burdens than in getting positive reviews from the environmental community."

There are some important differences between now and then.

"Pruitt and the people who are helping him are more sophisticated," said Bill Ruckelshaus, EPA's first administrator when Republican President Richard Nixon created the agency in 1970. "Therefore, he can do more damage at least in my eyes, and have a bigger impact than was true of Anne Gorsuch Burford or anybody else."

The 85-year-old Ruckelshaus, speaking by phone from Seattle last week, would know because Reagan asked him to come back to restore the public's trust in the agency in 1983 after Burford resigned.

Ruckelshaus says there's another big difference from the '80's: the rise of influential conservative groups like the Competitive Enterprise Institute and the Heritage Foundation since then that are backing Pruitt's agenda.

All of the former EPA administrators I interviewed don't support how Pruitt is handling things. They say he's shirking the agency's mission of protecting the environment by repealing so many regulations. That said, I didn't get to question two of the most recent administrators whose agendas were more aligned with that of Pruitt.

Stephen Johnson, who ran EPA for the last four years of the Bush administration, faced criticism for slow-walking action on climate change. Reached by phone last week, Johnson said he wasn't taking interviews. He did answer one question though: He has talked with Pruitt since he took over EPA. No other former agency chief going back to the George H. W. Bush administration I talked to has talked to Pruitt since he took over the agency. Ruckelshaus said every other incoming EPA chief has reached out to him other than Pruitt.

Mike Leavitt, who briefly ran EPA under Bush before Johnson, declined to be interviewed, saying through a spokesperson that he hasn't been following EPA issues for 12 years and wasn't prepared to discuss Pruitt.

For the record: Pruitt wasn't available for an interview. An EPA spokeswoman pushed back against the notion that Pruitt is not committed to EPA's mission of protecting the environment.

"We are not disregarding it; we are restoring it," said EPA spokeswoman Liz Bowman. "We believe the core mission of the Agency is to deliver real results to provide Americans with clean air, land, and water."

Reuters

<https://www.reuters.com/article/us-usa-coal-exports-idUSKBN1AD0DU>

U.S. Coal Exports Soar, In Boost To Trump Energy Agenda, Data Shows

By Timothy Gardner and Nina Chestney, 7/28/17

U.S. coal exports have jumped more than 60 percent this year due to soaring demand from Europe and Asia, according to a Reuters review of government data, allowing President Donald Trump's administration to claim that efforts to revive the battered industry are working.

The increased shipments came as the European Union and other U.S. allies heaped criticism on the Trump administration for its rejection of the Paris Climate Accord, a deal agreed by nearly 200 countries to cut carbon emissions from the burning of fossil fuels like coal.

The previously unpublished figures provided to Reuters by the U.S. Energy Information Administration showed exports of the fuel from January through May totaled 36.79 million tons, up 60.3 percent from 22.94 million tons in the same period in 2016. While reflecting a bounce from 2016, the shipments remained well-below volumes recorded in equivalent periods the previous five years.

They included a surge to several European countries during the 2017 period, including a 175 percent increase in shipments to the United Kingdom, and a doubling to France - which had suffered a series of nuclear power plant outages that required it and regional neighbors to rely more heavily on coal.

"If Europe wants to lecture Trump on climate then EU member states need transition plans to

phase out polluting coal," said Laurence Watson, a data scientist working on coal at independent think tank Carbon Tracker Initiative in London.

Nicole Bockstaller, a spokeswoman at the EU Commission's Energy and Climate Action department, said that the EU's coal imports have generally been on a downward trend since 2006, albeit with seasonable variations like high demand during cold snaps in the winter.

Overall exports to European nations totaled 16 million tons in the first five months of this year, up from 10.5 million in the same period last year, according to the figures. Exports to Asia meanwhile, totaled 12.3 million tons, compared to 6.2 million tons in the year-earlier period.

Trump had campaigned on a promise to "cancel" the Paris deal and sweep away Obama-era environmental regulations to help coal miners, whose output last year sank to the lowest level since 1978. The industry has been battered for years by surging supplies of cheaper natural gas, brought on by better drilling technologies, and increased use of natural gas to fuel power plants.

His administration has since sought to kill scores of pending regulations he said threatened industries like coal mining, and reversed a ban on new coal leasing on federal lands.

Taking Credit

Both the coal industry and the Trump administration said the rising exports of both steam coal, used to generate electricity, and metallurgical coal, used in heavy industry, were evidence that Trump's agenda was having a positive impact.

"Simply to know that coal no longer has to fight the government - that has to have some effect on investment decisions and in the outlook by companies, producers and utilities that use coal," said Luke Popovich, a spokesman for the National Mining Association.

Shaylyn Hynes, a spokeswoman at the U.S. Energy Department, said: "These numbers clearly

show that the Trump Administration's policies are helping to revive an industry that was the target of costly and job killing overregulation from Washington for far too long."

Efforts to obtain comment from exporters Arch Coal (ARCH.N) and privately held Murray Energy Corp were unsuccessful. Contura Energy, which emerged as part of Alpha Natural Resource's bankruptcy and restructuring, and filed for public offering in May, declined to comment.

A spokesman for Peabody Energy, the largest coal producer, though without a major export profile, said the United States was generally a "swing supplier of seaborne coal."

U.S. Energy Information Administration analyst Elias Johnson said the U.S. coal industry may now be better positioned to meet foreign demand because U.S. miners have learned to produce at lower cost, after coming through a series of recent bankruptcies.

"There's the possibility that the U.S. will become more of a primary player in the global coal trade market," he said.

But he added there are also plenty of reasons the spike in demand could be temporary. For one thing, U.S. coal production and transportation costs are much higher than for other producers such as Indonesia and Australia.

Because coal can often be transhipped from European ports before it is consumed, it is also hard to determine where shipments ultimately end up.

Johnson pointed out that some of the fuel shipped into Western Europe, for example, could be making its way to other places like Ukraine, which is having trouble securing coal from its separatist-held regions.

Trump said last month that his administration is offering more coal to Ukraine, but it was unclear

how, given deals are typically worked out between companies.

The Associated Press

<https://www.usnews.com/news/best-states/indiana/articles/2017-07-30/epa-to-give-update-on-lead-tainted-evansville-superfund-site>

EPA To Give Update On Lead-Tainted Evansville Superfund Site

By Associated Press, 7/30/17

The U.S. Environmental Protection Agency is ready to give Evansville residents an update on its cleanup of the city's lead-tainted Superfund site.

The federal agency will host a Monday open house at the Evansville Vanderburgh Public Library to discuss the southwestern Indiana site's ongoing cleanup and answer questions about lead soil sampling, test results and public health.

The EPA listed Evansville's Jacobsville neighborhood area as a Superfund cleanup several years ago because of lead and lesser arsenic contamination blamed on several long-defunct factories. The site that includes all or parts of about a dozen older neighborhoods is on the EPA's list of the nation's most contaminated sites.

The EPA continues to remove contaminated soil from the site. Additional cleanup work is planned to continue through at least 2020.

The Wall Street Journal

<https://www.wsj.com/articles/russia-to-force-out-755-u-s-diplomats-and-staff-1501447537>

Russia To Cut 755 U.S. Diplomats, Staff Amid New Sanctions

By Thomas Grove, 7/30/17

Russian President Vladimir Putin said Sunday that the U.S. would have to cut 755 diplomats and staff in the country by September in retaliation for impending U.S. sanctions on Moscow.

In an interview with Russian state television, Mr. Putin said the U.S. presence in Russia would be reduced by more than half, following the passage of new sanctions legislation by Congress that has further frayed ties between Moscow and Washington. The White House has indicated that President Donald Trump plans to sign the legislation.

“We had hoped that the situation would somehow change,” Mr. Putin said. “But judging by everything, if it changes, it won’t happen fast.”

Mr. Putin held out the possibility of additional measures but said that at this point he was against taking further punitive steps. “I hope it doesn’t come to that,” he said.

Mr. Putin told state television that slightly more than 1,000 U.S. diplomatic and technical staff work in Russia at present.

Last week, the Russian foreign ministry said the number of U.S. diplomatic and technical staff in Russia as of Sept. 1 would be reduced to 455, the same number of Russian diplomats now operating in the U.S.

It’s unclear how the reductions will affect American citizens working in the U.S. embassy and in three U.S. consulates in Russia; many of the people who work in those facilities are local hires.

A State Department official said Sunday, “This is a regrettable and uncalled for act. We are assessing the impact of such a limitation and how we will respond to it.”

A U.S. official said the move to trim down staff could slow down the embassy’s ability to issue visas, among other possible consequences.

The largest-to-date diplomatic expulsion involving Washington and Moscow occurred in 1986, when President Ronald Reagan ordered 55 Soviet diplomats to leave the country over espionage allegations.

Andrey Kortunov, head of the Russian International Affairs Council think tank, said the moves by Russia indicate Moscow is changing its tack to a “more aggressive” approach to the U.S. after a period of relative calm over the past several months.

Russia’s relationship with the U.S. has been a major factor in Mr. Trump’s first months in office. During the presidential campaign, Mr. Trump avoided criticizing Mr. Putin even as he claimed China, Mexico and others were dealing unfairly with the U.S., chiefly in terms of trade.

Mr. Trump also has voiced skepticism over U.S. intelligence findings that Russia meddled through hacking and propaganda in the presidential election to favor Mr. Trump.

Investigations in Congress and by special counsel Robert Mueller into that meddling—and whether any Trump campaign officials colluded—have been criticized by the president as a “witch hunt” ginned up by Democrats bitter over his victory. Mr. Trump has denied any collusion and the Russians have denied meddling.

Mr. Trump has said that it is better for the U.S. and Russia to work together on problems like fighting Islamic State in Syria than to be antagonists. He and Mr. Putin held a high-profile meeting, and had a subsequent chat at dinner, during the recent Group of 20 meeting in

Hamburg, Germany.

Though the two leaders agreed to enforce a cease-fire in part of Syria, further cooperation over fighting terrorism there has yet to materialize in a meaningful way. Mr. Trump earlier this year ordered dozens of missiles launched at a Syrian airstrip from which U.S. officials said the Syrian regime had launched a chemical-weapon attack in April—the first direct U.S. missile strike into Syria during the yearslong conflict, and a message aimed at both Syria and its Russian allies.

Late last year, the Kremlin leader elected not to respond after the administration of then-President Barack Obama expelled 35 Russian diplomats from the U.S. over allegations that Moscow had interfered in the U.S. presidential election.

At the time, Russian officials had hoped to improve ties with the incoming administration of Mr. Trump. But hopes of a rapprochement with Washington have faded in Moscow.

Russian diplomats in the U.S. have been denied access to two diplomatic retreats on American soil since late last year. On Friday, Russia said a summer home on the outskirts of Moscow used by U.S. diplomats has likewise been shuttered.

The Associated Press

<https://apnews.com/545f5f6903e347c6bb8b85ef0c709de5/Trump's-new-chief-of-staff-takes-over-a-White-House-in-chaos>

Trump Insists There's No Chaos At White House

By Catherine Lucey, 7/31/17

President Donald Trump insisted Monday there is no chaos at the White House, even as his new chief of staff is entering a West Wing battered by crisis.

Retired Gen. John Kelly, previously the Homeland Security secretary, takes over Monday from the ousted Reince Priebus, bringing his military experience to an administration weighed down by a stalled legislative agenda, a cabal of infighting West Wing aides and a stack of investigations.

While Trump is looking for a reset, he pushed back against criticism of his administration on Twitter Monday. He said: "Highest Stock Market EVER, best economic numbers in years, unemployment lowest in 17 years, wages raising, border secure, S.C.: No WH chaos!"

Kelly's success in a chaotic White House will depend on how much authority he is granted and whether Trump's dueling aides will put aside their rivalries to work together. Also unclear is whether a new chief of staff will have any influence over the president's social media histrionics.

Former Trump campaign manager Cory Lewandowski, who was ousted from the campaign in June 2016, said on NBC's "Meet the Press" that he expected Kelly would "restore order to the staff" but also stressed that Trump was unlikely to change his style.

"I say you have to let Trump be Trump. That is what has made him successful over the last 30 years. That is what the American people voted for," Lewandowski said. "And anybody who thinks they're going to change Donald Trump doesn't know Donald Trump."

Kelly's start follows a tumultuous week, marked by a profane tirade from the new communications director, Trump's continued attacks on his attorney general and the failed effort by Senate Republicans to overhaul the nation's health care law.

In addition to strain in the West Wing and with Congress, Kelly starts his new job as tensions escalate with North Korea. The United States flew two supersonic bombers over the Korean Peninsula on Sunday in a show of force against North Korea, following the country's latest intercontinental ballistic missile test. The U.S. also said it conducted a successful test of a missile defense system located in Alaska.

Sen. Dianne Feinstein, D-Calif., said on CBS' "Face the Nation" that she hopes Kelly can "be effective," and "begin some very serious negotiation with the North and stop this program."

Another diplomatic fissure opened Sunday when Russian President Vladimir Putin said the U.S. would have to cut its embassy and consulate staff in Russia by several hundred under new sanctions from Moscow. In a television interview, Putin indicated the cutback was retaliation for new sanctions in a bill passed by Congress and sent to Trump.

Trump plans to sign the measure into law, the White House has said. After Putin's remarks, the State Department deemed the cutbacks "a regrettable and uncalled for act" and said officials would assess the impact and how to respond to it.

While Trump is trying to refresh his team, he signaled that he does not want to give up the fight on health care. On Twitter Sunday, he said: "Don't give up Republican Senators, the World is watching: Repeal & Replace."

The protracted health care fight has slowed Trump's other policy goals, including a tax overhaul and infrastructure investment. But Trump aides made clear that the president still wanted to see action on health care. White House budget director Mick Mulvaney said on CNN's "State of the Union," that senators "need to stay, they need to work, they need to pass something."

Asked if nothing should be voted on in Congress until the Senate votes again on health care, Mulvaney said: "well, think — yes. And I think what you're seeing there is the president simply reflecting the mood of the people."

On Saturday, Trump threatened to end required payments to insurance companies unless lawmakers repeal and replace the Obama-era health care law. He tweeted that if "a new HealthCare Bill is not approved quickly, BAILOUTS for Insurance Companies and BAILOUTS for Members of Congress will end very soon!"

The payments reduce deductibles and co-payments for consumers with modest incomes. Trump has guaranteed the payments through July, but has not made a commitment going forward.

White House counselor Kellyanne Conway said on “Fox News Sunday” that Trump would make a decision on the payments this week.

Sen. Susan Collins, R-Maine, who opposed the efforts to move a health bill forward this week, said on CNN that cutting the payments would “be detrimental to some of the most vulnerable citizens” and that the threat has “contributed to the instability in the insurance market.”

The House has begun a five-week recess, while the Senate is scheduled to work two more weeks before a summer break.

The Wall Street Journal

<https://www.wsj.com/articles/as-washington-stalls-company-profits-keep-trucking-1501423201>

U.S. Companies Post Profit Growth Not Seen In Six Years

By Theo Francis and Thomas Gryta, 7/30/17

America’s largest companies are on pace to post two consecutive quarters of double-digit profit growth for the first time since 2011, helped by years of cost-cutting, a weaker dollar and stronger consumer spending.

Earnings at S&P 500 companies are expected to rise 11% in the second quarter, according to data from Thomson Reuters, following a 15% increase in the first quarter. Close to 60% of the firms in the index have reported second-quarter results so far.

Corporate America’s strong earnings performance comes as several policy initiatives that were expected to help boost companies’ bottom line—corporate-tax cuts and increased government spending on infrastructure—have been sidetracked amid political infighting in Washington, D.C., which culminated with the recent failure of the health-law bill.

Even as activity inside the Beltway bogged down, the markets have been on an almost nonstop rally since the election. The S&P 500 is up 16% since early November and 10% this year.

“You could argue that the stock-market investor overestimated Trump but underestimated earnings,” said Christopher Probyn, chief economist for State Street Global Advisors.

The second-quarter profit gains are spread across industries from Wall Street banks to Detroit’s car factories to Silicon Valley’s software labs. Earnings are expected to decline only in the utilities sector, according to data from Thomson Reuters.

Several factors are at work, analysts and economists say. A weaker dollar has made it easier to sell U.S.-made goods overseas and has kept borrowing costs low. U.S. wages have improved enough to help bolster consumer spending without raising employer labor costs so much to dent the bottom line.

Companies also continue to reap the fruits of their recent zeal for cutting costs, Mr. Probyn said. “We underestimated some of the cost-cutting and restructuring that has gone on within the various industries; that has permitted earnings to keep doing well.”

Sales, too, rose in the quarter, by an expected 5%, the second-biggest increase in more than five years, according to data from Thomson Reuters. The figures reflect actual results for about half the S&P 500 index, and analysts’ estimates for those that had yet to report results as of Friday.

On Friday, the Commerce Department reported that gross domestic product rose at a 2.6% rate in the second quarter, up from 1.2% in the first quarter.

Executives say even rapid progress on a tax rewrite or an infrastructure bill is unlikely to help improve profits soon.

“We’re halfway through the year, and they haven’t done [tax overhaul],” Christopher Nassetta, CEO of Hilton Worldwide Holdings Inc. said last week. “We’re not going to have enough time for it to trickle through and really benefit this year.”

On an investor call earlier this month, James Dimon, chief executive officer of J.P. Morgan Chase & Co. said: “We’ve been growing at 1.5% to 2% in spite of stupidity and political gridlock because the American business sector is powerful and strong and is going to grow regardless.” Mr. Dimon has made several comments about the need for bipartisan policy revamps.

The White House didn’t respond to a request for comment.

“Political and policy uncertainty continues to weigh on health care, taxation, regulation and trade,” Debra Cafaro, chief executive of Ventas Inc., a real-estate investment firm specializing in senior housing and health-care property, said Friday. “Washington has been wildly unpredictable.”

As executives discuss results with investors and analysts, events in Washington have faded into the background. S&P 500 companies that mentioned President Donald Trump or his administration during their latest conference calls are down by a third compared with three months ago, according to an analysis by research firm Sentieo.

The market has also largely stopped reacting to blow-by-blow developments in Washington, despite uncertainty over the size, shape and timing of any tax and infrastructure initiatives, said Quincy Krosby, chief market strategist with Prudential Financial Inc.

Last week, congressional Republicans and the Trump administration outlined some plans for tax changes to cut individual and corporate tax rates “as much as possible” with a timeline to advance legislation this fall. Many specifics aren’t yet known. President Trump has also promised to put \$1 trillion toward infrastructure, likely from a mix of private and public funding, although details remain unclear.

Corning Inc. CEO Wendell Weeks, who was at the White House this month to announce new U.S. investment and hiring, told analysts last week that he still expects Congress to overhaul the tax code—eventually.

“What I am much less confident about is how the political math works in any given year,” Mr. Weeks said. “So I think calling timing on that one is above my pay grade.”

Honeywell International Inc. CEO Darius Adamczyk earlier this month said he hoped lawmakers would advance plans for revamping the tax code as soon as the current quarter. Still, he isn’t counting on it.

“I think there’s more uncertainty in that now than maybe even before, so I can’t let that sort of rule the business,” Mr. Adamczyk said.

That uncertainty could make it difficult for companies to sustain robust earnings growth, said Omar Aguilar, chief investment officer of equities for Charles Schwab Investment Management.

Companies are reporting solid cash flow, but capital spending has been weak until recently. Uncertainty over tax policy may exacerbate that reluctance to invest, Mr. Aguilar said. “Tax reform is clearly what the future may require for these numbers to continue on the same pace.”

Evan Greenberg, CEO of insurer Chubb Ltd. , told investors last week that the U.S. badly needs a tax-code overhaul and higher government infrastructure spending to remain competitive.

“But an awful lot of this requires legislation, and we need an administration that is focused, that is working with Congress,” he said in a conference call. “And we need a Congress that comes together to address these issues of our country.”

The Wall Street Journal

<https://www.wsj.com/articles/climate-change-isnt-the-end-of-the-world-1501446277>

Climate Change Isn't The End Of The World

By David R. Henderson and John H. Cochrane, 7/30/17

Climate change is often misunderstood as a package deal: If global warming is “real,” both sides of the debate seem to assume, the climate lobby’s policy agenda follows inexorably.

It does not. Climate policy advocates need to do a much better job of quantitatively analyzing economic costs and the actual, rather than symbolic, benefits of their policies. Skeptics would also do well to focus more attention on economic and policy analysis.

To arrive at a wise policy response, we first need to consider how much economic damage climate change will do. Current models struggle to come up with economic costs commensurate with apocalyptic political rhetoric. Typical costs are well below 10% of gross domestic product in the year 2100 and beyond.

That’s a lot of money—but it’s a lot of years, too. Even 10% less GDP in 100 years corresponds to 0.1 percentage point less annual GDP growth. Climate change therefore does not justify policies that cost more than 0.1 percentage point of growth. If the goal is 10% more GDP in 100 years, pro-growth tax, regulatory and entitlement reforms would be far more effective.

Yes, the costs are not evenly spread. Some places will do better and some will do worse. The American South might be a worse place to grow wheat; Southern Canada might be a better one. In a century, Miami might find itself in approximately the same situation as the Dutch city of Rotterdam today.

But spread over a century, the costs of moving and adapting are not as imposing as they seem. Rotterdam’s dikes are expensive, but not prohibitively so. Most buildings are rebuilt about every

50 years. If we simply stopped building in flood-prone areas and started building on higher ground, even the costs of moving cities would be bearable. Migration is costly. But much of the world's population moved from farms to cities in the 20th century. Allowing people to move to better climates in the 21st will be equally possible. Such investments in climate adaptation are small compared with the investments we will regularly make in houses, businesses, infrastructure and education.

And economics is the central question—unlike with other environmental problems such as chemical pollution. Carbon dioxide hurts nobody's health. It's good for plants. Climate change need not endanger anyone. If it did—and you do hear such claims—then living in hot Arizona rather than cool Maine, or living with Louisiana's frequent floods, would be considered a health catastrophe today.

Global warming is not the only risk our society faces. Even if science tells us that climate change is real and man-made, it does not tell us, as President Obama asserted, that climate change is the greatest threat to humanity. Really? Greater than nuclear explosions, a world war, global pandemics, crop failures and civil chaos?

No. Healthy societies do not fall apart over slow, widely predicted, relatively small economic adjustments of the sort painted by climate analysis. Societies do fall apart from war, disease or chaos. Climate policy must compete with other long-term threats for always-scarce resources.

Facing this reality, some advocate that we buy some "insurance." Sure, they argue, the projected economic cost seems small, but it could turn out to be a lot worse. But the same argument applies to any possible risk. If you buy overpriced insurance against every potential danger, you soon run out of money. You can sensibly insure only when the premium is in line with the risk—which brings us back where we started, to the need for quantifying probabilities, costs, benefits and alternatives. And uncertainty goes both ways. Nobody forecast fracking, or that it would make the U.S. the world's carbon-reduction leader. Strategic waiting is a rational response to a slow-moving uncertain peril with fast-changing technology.

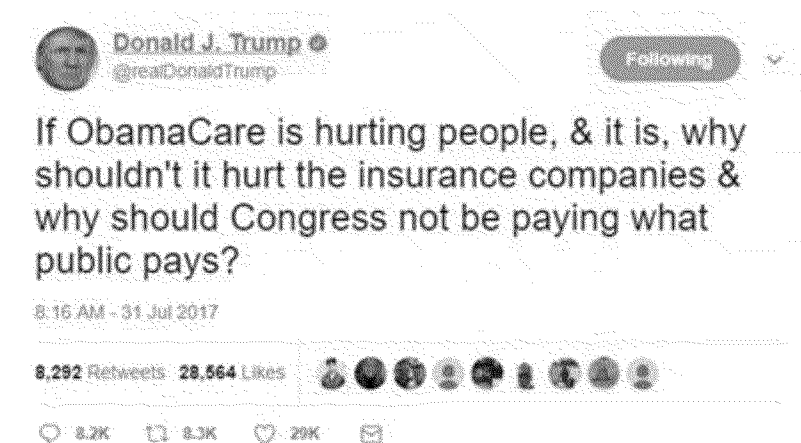
Global warming is not even the obvious top environmental threat. Dirty water, dirty air and insect-borne diseases are a far greater problem today for most people world-wide. Habitat loss and human predation are a far greater problem for most animals. Elephants won't make it to see

a warmer climate. Ask them how they would prefer to spend \$1 trillion—subsidizing high-speed trains or a human-free park the size of Montana.

Then, we need to know what effect proposed policies have and at what cost. Scientific, quantifiable or even vaguely plausible cause-and-effect thinking are missing from much advocacy for policies to reduce carbon emissions. The Intergovernmental Panel on Climate Change’s “scientific” recommendations, for example, include “reduced gender inequality & marginalization in other forms,” “provisioning of adequate housing,” “cash transfers” and “awareness raising & integrating into education.” Even if some of these are worthy goals, they are not scientifically valid, cost-benefit-tested policies to cool the planet.

Climate policy advocates’ apocalyptic vision demands serious analysis, and mushy thinking undermines their case. If carbon emissions pose the greatest threat to humanity, it follows that the costs of nuclear power—waste disposal and the occasional meltdown—might be bearable. It follows that the costs of genetically modified foods and modern pesticides, which can feed us with less land and lower carbon emissions, might be bearable. It follows that if the future of civilization is really at stake, adaptation or geo-engineering should not be unmentionable. And it follows that symbolic, ineffective, political grab-bag policies should be intolerable.

TRUMP TWEETS





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Oklahoma Morning News Highlights 7.31.17

The Oklahoman: Rick Dearborn Is A 'Good Ol' Boy From Oklahoma' In The White House

Three decades in Washington have not cost deputy White House chief of staff Rick Dearborn his folksiness. “Heck” and “doggoned” pepper his sentences. His mother is still “Momma.” The White House budget director is “ol’ Mick Mulvaney.” In an executive branch full of outsized personalities, the 52-year-old Dearborn is publicly unknown. He’s never been a guest on cable news or the credited architect of divisive legislation. He’s uninterested in press reports of palace intrigue and denies interview requests. He agreed to be interviewed by The Oklahoman only because his mother reads it.

The Oklahoman: Scott Pruitt Talks EPA, Pesticides And Future Elections

Critics and supporters of Environmental Protection Agency Administrator Scott Pruitt have found common ground in their shared belief that the former Oklahoma attorney general is operating with an efficiency and zeal beyond that of his predecessors. “There’s a tremendous amount of attention and a tremendous amount of focus that’s going into our agenda and the president has given us that charge,” Pruitt said during an interview Thursday.

Tulsa World: Heaven Forfend! Scott Pruitt Is Going Home On Weekends!

We prefer it when the people at the top of the nation’s bureaucratic pyramid get out of the Beltway once in a while to talk to ordinary Americans. If Pruitt is coming home to see his friends, family, neighbors and some of the people he regulates, then good for him. That sounds like the acts of a balanced man who wants to know the thinking of the public, not just the pro-regulation lobbyists. It’s apparent to us, and we suspect to Pruitt, that environmental extremists are determined to find anything they can use against him, including this not-so-damning evidence that he hasn’t abandoned his family.

EPA Morning News Highlights 7.31.17

Axios: How America Got Its Most Powerful EPA Boss

Scott Pruitt is the most aggressive leader of the Environmental Protection Agency in its almost 50-year history. But he didn’t come out of nowhere. His ascendance to the agency reflects changing politics of the past few decades.

Reuters: U.S. Coal Exports Soar, In Boost To Trump Energy Agenda, Data Shows

U.S. coal exports have jumped more than 60 percent this year due to soaring demand from Europe and Asia, according to a Reuters review of government data, allowing President Donald Trump’s administration to claim that efforts to revive the battered industry are working. The increased shipments came as the European Union and other U.S. allies heaped criticism on the Trump administration for its rejection of the Paris Climate Accord, a deal agreed by nearly 200 countries to cut carbon emissions from the burning of fossil fuels like coal.

The Associated Press: EPA To Give Update On Lead-Tainted Evansville Superfund Site

The U.S. Environmental Protection Agency is ready to give Evansville residents an update on its cleanup of the city’s lead-tainted Superfund site. The federal agency will host a Monday open house at the Evansville Vanderburgh Public Library to discuss the southwestern Indiana site’s ongoing cleanup and answer questions about lead soil sampling, test results and public health.

National Evening News Highlights 7.28.17

The Wall Street Journal: Russia to Cut 755 U.S. Diplomats, Staff Amid New Sanctions

Russian President Vladimir Putin said Sunday that the U.S. would have to cut 755 diplomats and staff in the country by September in retaliation for impending U.S. sanctions on Moscow. In an interview with

Russian state television, Mr. Putin said the U.S. presence in Russia would be reduced by more than half, following the passage of new sanctions legislation by Congress that has further frayed ties between Moscow and Washington. The White House has indicated that President Donald Trump plans to sign the legislation.

The Associated Press: Trump Insists There's No Chaos At White House

President Donald Trump insisted Monday there is no chaos at the White House, even as his new chief of staff is entering a West Wing battered by crisis. Retired Gen. John Kelly, previously the Homeland Security secretary, takes over Monday from the ousted Reince Priebus, bringing his military experience to an administration weighed down by a stalled legislative agenda, a cabal of infighting West Wing aides and a stack of investigations. While Trump is looking for a reset, he pushed back against criticism of his administration on Twitter Monday. He said: "Highest Stock Market EVER, best economic numbers in years, unemployment lowest in 17 years, wages raising, border secure, S.C.: No WH chaos!"

The Wall Street Journal: U.S. Companies Post Profit Growth Not Seen In Six Years

America's largest companies are on pace to post two consecutive quarters of double-digit profit growth for the first time since 2011, helped by years of cost-cutting, a weaker dollar and stronger consumer spending. Earnings at S&P 500 companies are expected to rise 11% in the second quarter, according to data from Thomson Reuters, following a 15% increase in the first quarter. Close to 60% of the firms in the index have reported second-quarter results so far.

The Wall Street Journal: Climate Change Isn't The End Of The World

Climate change is often misunderstood as a package deal: If global warming is "real," both sides of the debate seem to assume, the climate lobby's policy agenda follows inexorably. It does not. Climate policy advocates need to do a much better job of quantitatively analyzing economic costs and the actual, rather than symbolic, benefits of their policies. Skeptics would also do well to focus more attention on economic and policy analysis.

TRUMP TWEETS

The Oklahoman

<http://newsok.com/article/5558009>

Rick Dearborn Is A 'Good Ol' Boy From Oklahoma' In The White House

By Justin Wingerter, 7/30/17

One morning in the early months of President Donald Trump's presidency, chief of staff Reince Priebus stood before a meeting at the West Wing. Gipping two news articles in his hand, he motioned toward chief White House strategist Steve Bannon.

"Hey, Steve, it says here I want to stab you in the back," Priebus said.

Bannon, holding two news articles of his own, responded in kind.

"Hey, Reince, it says here I want to club you like a baby seal," he said.

Seated between them and laughing heartily was a self-described "good ol' boy from Oklahoma," a fast-talking politico whose stream-of-consciousness spiels still harbor a slight Sooner State twang.

Three decades in Washington have not cost deputy White House chief of staff Rick Dearborn his folksiness. “Heck” and “doggoned” pepper his sentences. His mother is still “Momma.” The White House budget director is “ol’ Mick Mulvaney.”

In an executive branch full of outsized personalities, the 52-year-old Dearborn is publicly unknown. He’s never been a guest on cable news or the credited architect of divisive legislation. He’s uninterested in press reports of palace intrigue and denies interview requests. He agreed to be interviewed by The Oklahoman only because his mother reads it.

“If she has some sense that I’m actually working, doing a good job, then I think that’s a good thing.”

‘Sure you are, honey’

The Air Force service of Dearborn’s father took him to World War II, Korea and Vietnam. It brought young Rick and his two sisters to Oklahoma — first Del City, then Edmond.

He was an unusually gregarious child, always talking and smiling, says his mother, Joyce, who still lives in Edmond. He had a paper route, tossing the Edmond Sun into yards and onto porches.

In the eighth grade, he traveled to Washington, D.C. on a class trip. Instantly, he was hooked.

“When he came home, he said, ‘I’m going to live in Washington, D.C.,’” Joyce Dearborn recalls. “I said, ‘Sure you are, honey.’”

Two days before Rick Dearborn’s 15th birthday, the Republican Party formally chose as its presidential nominee Ronald Reagan. Among his campaign slogans was “Let’s Make America Great Again.”

“I started tracking the Reagan presidential race and it just really appealed to me, what he was saying about limited government and the shining city on the hill,” Dearborn said. “It appealed to me and I got very involved in it.”

Dearborn was president of his senior class at Edmond Memorial High School, a detail he never mentioned in a 30-minute interview but one his mother was eager to discuss, as mothers do. Then it was on to the University of Oklahoma for a degree in public administration and economics.

That took him to Washington, where he worked for six senators, most notably as chief of staff to Jeff Sessions, the conservative Republican from Alabama. Co-workers along the way included a young Paul Ryan, now the House speaker, and Stephen Miller, a conservative firebrand credited with crafting the president’s controversial travel ban.

Subway sandwiches with Donald

In 2005, the United Nations announced plans to renovate and expand its historic headquarters along Manhattan’s East River. It requested \$1 billion for the job, plus an additional \$500 million in interest payments.

Sessions and then-U. S. Sen. Tom Coburn, an Oklahoma Republican, thought that was an outrageous amount of money and sought an expert to tell Congress as much. As Dearborn and his boss mulled their

options, the senator turned to his assistant.

"Hey, see if you can get Donald Trump on the line," Sessions said.

With characteristic bravado, Trump told Sessions he could build a better building for half the price. He agreed to testify at a subcommittee hearing Coburn chaired, telling senators what he had told Sessions. Afterward, he and his newly pregnant wife, Melania, sat in Sessions' office with Dearborn as the senator returned to the chamber for votes.

"I remember we ordered Subway sandwiches and I kept thinking to myself, I'm sitting in Senator Sessions' office eating a Subway sandwich with Donald Trump and his wife, talking about how much money you could save building a building on the government's dime," Dearborn recalled.

A year before, NBC's "The Apprentice" had made Trump a household name outside New York. Twenty-eight million people watched the season finale and several were among Sessions' staff. After 10 minutes of eating sandwiches, Dearborn asked the brash billionaire if he would mind meeting his fans.

"I'll be doggoned if he didn't take a picture with every single person in that office. He was just one of the most delightful guests that we ever had," Dearborn said. "So, that's how we first met. Then, of course, he runs for president and Sessions endorses him and the rest is history after that."

Dearborn worked for Sessions for 20 years, a dozen of those as chief of staff. When Dearborn was nominated for a Department of Energy post that required Senate confirmation, Sessions called Dearborn "one of the finest people I've gotten to know in Washington." The head of governmental affairs at the University of Alabama once referred to Dearborn as "the hand of the king."

Former U.S. Rep. Jo Bonner, R-Ala., has known Dearborn for decades as a "hard worker and an honest broker." In a capital city known for callousness, Dearborn's kindness set him apart, Bonner says.

"If he tells you it's going to rain outside, you don't need to look, just grab an umbrella. He's a straight shooter," Bonner said.

On April 20, 2010, an explosion off the coast of Louisiana set off the largest oil spill in American history. Dearborn went to work contacting his Capitol Hill sources and corralling leaders of Gulf Coast states to lobby for a change in federal law. The result was the RESTORE Act, signed by President Barack Obama, that set aside funds from the oil company BP for cleanup efforts.

Last February, during the presidential primary, Sessions took a risk by being the only senator to endorse Trump, a political novice who worried some Republicans and insulted others. Dearborn joined the campaign in Washington, selling skeptical politicians, aides and lobbyists on the agenda of Trump, who knew little about the capital and its inner workings. It's a role he hasn't relinquished.

The Instagram account of Gina Dearborn, Rick's wife, shows a couple winding along Trump's strange road to the presidency. There are photos of them at the Republican National Convention and the inauguration and outside the White House. There are photos of her with first daughter Ivanka Trump, presidential candidate Ben Carson, New Jersey Gov. Chris Christie, Fox News host Jesse Watters, and former Trump campaign manager Paul Manafort.

With Trump's unexpected victory in November, Dearborn was propelled to a level of influence he couldn't have dreamed of as an eighth-grader touring the capital. He was named executive director of the Trump transition team and, after that, deputy White House chief of staff in charge of policy. Former House Speaker Newt Gingrich called Dearborn's hire a "great pick" by Trump.

The Instagram photos began coming from inside the White House — photos of the Dearborns in the Oval Office, in the press briefing room, in the White House movie theater and hosting Attorney General Jeff Sessions at their home. They had arrived at 1600 Pennsylvania Avenue.

Palace intrigue

On a sweltering Thursday afternoon in mid-July, Dearborn is seated in a corner office on the northwest side of the West Wing. On massive whiteboards he has planned the president's schedule through Labor Day, what he calls "a herculean task." His own schedule contains meetings at 7 a.m., 8 a.m., 9:15 a.m., 11 a.m., 11:30 a.m., 1:30 p.m., 2:30 p.m., 3 p.m., 4 p.m., 4:30 p.m., 5 p.m., 5:30 p.m., 6 p.m., 7 p.m. and 8:30 p.m. that day. He typically works seven days a week.

"By the time you get back to your desk after all the meetings you have with folks and the phone calls you made and the trips into the Oval Office and down to the chief of staff's office — talking with Cabinet secretaries and you name it — it's about 8, 9, 10 o'clock at night," he said.

If an elected official is in contact with the White House, Dearborn knows about it. He oversees the legislative affairs department, 20 staffers who coordinate with Congress. Cabinet members go through Dearborn before they talk with Trump. So, too, do state officials, county commissioners and the nation's 3,600 mayors.

Trump, in a statement to The Oklahoman, called Dearborn "a great asset to the administration."

"Our mission to Make America Great Again depends on talented people like Rick, who work hard every single day on behalf of the people of our country," the president said. "I appreciate his dedication and support. His home state of Oklahoma should be very proud of the work he is doing."

Trump's relationship with congressional Republicans has, at times, appeared rocky. He's complained about their inefficiencies; they've complained about his erratic tweets. He's criticized House Speaker Paul Ryan, the most powerful congressional Republican, and U.S. Sen. John McCain, a revered figure in Congress. Meanwhile, the party's top legislative priorities — Affordable Care Act repeal and tax reform — loom.

Dearborn is defensive of Trump's legislative accomplishments, noting the high quantity of executive orders and bills he has signed, but acknowledges "one thing that the media will wind up grading every president for is the types of legislation that they sign." He knows the president's top legislative priorities remain unaccomplished.

The press-averse Dearborn refers to news articles of dysfunction in the White House as "noise in the box." He was interviewed a day after Trump said he regrets appointing Sessions as attorney general and a day before press secretary Sean Spicer resigned amid a communications team shake-up.

"I've talked to friends of mine who worked for Reagan, who worked for Daddy Bush, who worked for

Dubya, even for Clinton,” Dearborn said. “What they’ll tell you is that it does always seem more intense when you’re in here, when it’s your presidency that you’re dealing with. But to be honest with you, the media has always tried to push a lot of these palace intrigue stories. Sometimes they’re right, sometimes they’re wrong.”

Trump’s public admonishments of Sessions — Dearborn’s longtime boss and the link between him and the president — could place the deputy chief of staff in an unenviable position of choosing between the two if the relationship further sours. Dearborn said he believes Trump has confidence in Sessions and brushed aside one source of their disagreement: multiple investigations into the Trump campaign’s ties to Russia.

“Hell, Reagan had a special prosecutor, Clinton had a special prosecutor, Dubya had a special prosecutor. This isn’t that different from others in the past who have had to go through it,” Dearborn said. “You compartmentalize it. You have to realize that lawyers and a lot of others have to deal with that stuff and you just do your job and try to focus on doing right by the president and by the country.”

It was an Oklahoma City attorney, Lawrence Walsh, who investigated the Iran-Contra affair during Reagan’s presidency, resulting in multiple indictments and two convictions. An investigation into President Bill Clinton led to his impeachment. A 2003 investigation during the presidency of George W. Bush resulted in the conviction of Scooter Libby, an adviser to the vice president.

Regardless of what happens next in Trump’s White House, Dearborn will likely remain the same — low-key, reserved, behind the scenes. As Bonner, the former congressman, puts it, “He’s not one to rush to the microphones, he’s one to sit back and listen.” It’s a formula that has taken him from the halls of Edmond Memorial to the halls of power.

“My daddy used to always say, ‘If you can be a workhorse versus a show horse, then be the workhorse.’ So, I just try to keep my head down and do my job.”

The Oklahoman

<http://newsok.com/scott-pruitt-talks-epa-pesticides-and-future-elections/article/5558202?articleBar=1>

Scott Pruitt Talks EPA, Pesticides And Future Elections

By Justin Wingerter, 7/31/17

Critics and supporters of Environmental Protection Agency Administrator Scott Pruitt have found common ground in their shared belief that the former Oklahoma attorney general is operating with an efficiency and zeal beyond that of his predecessors.

“There’s a tremendous amount of attention and a tremendous amount of focus that’s going into our agenda and the president has given us that charge,” Pruitt said during an interview Thursday.

In February, Pruitt took over a federal agency that had, in his words, “lost its moorings.” He has compared disdain of the EPA to that directed at the Internal Revenue Service and told a conservative gathering that critics of the agency were justified in their scorn.

“What people are justified feeling is the oppressiveness and the paternalism and the use of regulatory power to pick winners and losers,” Pruitt said Thursday.

The ardor with which Pruitt set out to change an agency of 15,000 employees with a budget of \$8 billion has made him a polarizing figure, beloved by industrialists and despised by environmentalists. No one is surprised, however, that the man who sued the EPA more than a dozen times as attorney general is steadfastly rolling back many of the regulations he fought in court.

"I think it's really unique in the history of the agency," said Al Armendariz, a former regional EPA administrator. "I'm not aware there's ever been an environmental administrator with an agenda to roll back environmental regulations one after another."

Chad Warmington, president of the Oklahoma Oil and Gas Association, said, "It doesn't surprise me at all that Scott has hit the ground running."

Chlorpyrifos

Since 1965, the pesticide chlorpyrifos has been in wide use on everything from corn to fruit to broccoli and, outside agriculture, on golf courses and in greenhouses.

In high enough doses, the chemical overstimulates the nervous system, causing nausea and dizziness. In extremely high exposures, it can paralyze the respiratory system, leading to death. After EPA scientists determined minuscule amounts can hinder brain development in fetuses and infants, the American Academy of Pediatrics urged Pruitt to ban the pesticide from being sprayed on food.

A judge demanded a decision by March and Pruitt had a month to make up his mind after taking office. He denied the ban request, citing a separate study from the U.S. Department of Agriculture that questioned the EPA's methodology and its "mistaken conclusion that chlorpyrifos, as it is currently used, is unsafe."

"We have a review, other agencies have a review, and there was competitiveness between those viewpoints. It doesn't mean there's not going to be continued study," Pruitt said. "That doesn't mean this won't be reviewed in the future. It just meant that at that time, based on the information that had been supplied and the perspective of the USDA, there was not clarity on whether that pesticide should be banned. It had been used for decades. You don't do those things lightly."

The AAP, which represents 66,000 doctors, said the decision "contradicts the agency's own science and puts developing fetuses, infants, children and pregnant women at risk." Chlorpyrifos is scheduled to be re-reviewed in 2022. Meanwhile, a lawsuit is pending.

'Red team-blue team'

In April, a Wall Street Journal commentary caught Pruitt's attention and hasn't let go. It recommended the creation of a so-called "red team-blue team" debate on climate change. The blue team would be scientists arguing that climate change is occurring and is the result of human actions. Red team scientists, organized by Pruitt and President Donald Trump's administration, would take an opposing view.

"The American people deserve an honest, open, objective and transparent discussion on what do we know and what don't we know," Pruitt said, but added that no formal decision has been made on whether to organize the teams.

"It's not a question of whether the climate changes. I'm not even sure what that means when people say, 'I believe in climate change.' The climate is always changing," he said. "We have warming trends, we have cooling trends, and no one debates that. No one debates that, by our activity, we contribute to climate change in some measure, we just don't know how precise or how much we contribute. That's something that's difficult to measure with precision."

Pruitt is fond of a New York Times column published in April. The column, by Bret Stephens, argues that the Earth is warming and humans are at least partly to blame. But Stephens — and now Pruitt — believe environmental advocates outpace the science they cite, making dire predictions unsupported by evidence. For Pruitt, the answer to Stephens' concerns is a red team-blue team debate, perhaps on television.

"There are questions that have to be asked and answered," he said. "Is (climate change) unsustainable? Does it pose a significant or meaningful threat? What can we do about it? Do we know what the ideal average global surface temperature is or what it should be?"

"There's a whole lot of questions that need to be discussed and scientists getting in a room — red team of scientists and blue team of scientists — and having a meaningful discussion or debate about those things, I think, would help serve the American people and help inform policymakers on what steps should or should not be taken to address the issue," Pruitt said.

'A seat at the table'

Each year for the past couple decades, the Oklahoma Farm Bureau has traveled to the nation's capital to lobby lawmakers. This year, for the first time in the history of those tours, the farm bureau was allowed into the EPA.

"Administrator Pruitt is very well organized and has really done a great job," said LeeAnna McNally, the group's director of national affairs.

Farmers and ranchers, along with oil and gas groups, have had an adversarial view of the EPA for much of the past decade. They believe the EPA has run roughshod over their industries with regulations written and implemented without their input. That has changed under Pruitt.

"What Scott gave us is a seat at the table," Warmington said. "We don't run the table but we have a seat."

Tim Wigley, president of the Oklahoma Independent Petroleum Association, struggled to name an EPA administrator friendlier to the industry than Pruitt. Administrators under President George W. Bush were not as hostile as those under President Barack Obama, he said, but none are like Pruitt.

"We in the industry appreciated what he's trying to get done and the zeal with which he's getting it done," Wigley said.

Industry groups believe regulations should be a partnership between the regulators and the regulated. They believe companies can adequately monitor themselves, driving down emissions without federal control.

"We're the real environmentalists and the original environmentalists," McNally said of farmers and ranchers.

No carte blanche

Armendariz, the former EPA regional administrator, finds it ridiculous that oil and gas groups say they didn't have input under Obama. Administrators Lisa Jackson and Gina McCarthy were open and reasonable, he said, noting that Jackson attended Tulane University on a scholarship from Shell Oil.

"Under eight years of President Obama, there was a massive expansion of oil and gas in this country," Armendariz said.

To environmentalists, Pruitt is exactly the EPA administrator they thought he would be. That's bad news for EPA employees, Armendariz said. He believes proposed budget cuts and negative statements by Pruitt have harmed morale.

On July 3, a federal appeals court ruled the EPA cannot pause a rule to lower methane emissions from new gas and oil wells. Environmentalists have placed their faith in federal courts to stop, or at least slow, Pruitt, just as Pruitt used the judiciary to hinder Obama's EPA while attorney general. The irony does not escape them.

"Certainly, the federal judiciary has already shown Administrator Pruitt and the White House don't have carte blanche to do whatever they want when it comes to environmental law," Armendariz said.

Johnson Bridgwater, director of the Oklahoma Sierra Club, said membership in his group has risen 18 percent since the November election. He has heard similar stories across the country as Pruitt's tenure increases donations and memberships at environmental groups.

"We're very happy to see the citizens of the United States stand up and say they want America to be regulated," he said.

Pruitt's future

On Thursday morning, Pruitt spoke to a small gathering in the Oklahoma panhandle. His travels to Oklahoma and beyond have garnered criticisms and spurred speculation he will run for governor in 2018 or a U.S. Senate seat in 2020.

"To think somehow that ... I would go through a confirmation process which, by any measure, is pretty intense, serve five months and move to Washington, D.C. in order to run for governor ... I mean, who would do that? For folks to think that, it's just legendary. People, they don't think through these things," Pruitt said.

When asked if he was committed to remaining in the Trump administration for four years, Pruitt hesitated before declining to speculate. He said he didn't know he would be attorney general or the owner of a baseball team, so how could he predict what's next?

"I'll do it as long as the Lord calls me to and as long as the president wants me to do it," Pruitt said.

Tulsa World

http://www.tulsaworld.com/opinion/editorials/tulsa-world-editorial-heaven-forfend-scott-pruitt-is-going-home/article_d54095df-4a88-5e5f-910b-34fa0944d8d4.html

Heaven Forfend! Scott Pruitt Is Going Home On Weekends!

By Tulsa World, 7/30/17

If we were supposed to be shocked to learn that EPA Administrator Scott Pruitt is going home on weekends, we're not.

A fishing expedition request for Pruitt's EPA expense accounts by an environmentalist advocacy group pretty much discovered just that, and that he was spending some public money along the way and met with people that the advocates don't approve of.

The New York Times first reported the results of a Freedom of Information request for Pruitt's expense accounts filed by the Environmental Integrity Project, which has a history of blocking development and encouraging regulation. The findings: Pruitt returned to his Tulsa home at least 10 times in his first three months in office, costing taxpayers more than \$15,000.

During his trips home, Pruitt made some stops, including an informational meeting at the Brainerd Chemical Company in Tulsa and a speech to the Heritage Foundation in Colorado.

As outrages go, it's not worth much.

The Washington press corps and the environmental lobby might prefer that the EPA boss be held captive on the East Coast and that he hear nothing but the opinions of "green" lobbyists, but the people out in fly-over country like it when we're being heard, too.

We prefer it when the people at the top of the nation's bureaucratic pyramid get out of the Beltway once in a while to talk to ordinary Americans. If Pruitt is coming home to see his friends, family, neighbors and some of the people he regulates, then good for him. That sounds like the acts of a balanced man who wants to know the thinking of the public, not just the pro-regulation lobbyists.

It's apparent to us, and we suspect to Pruitt, that environmental extremists are determined to find anything they can use against him, including this not-so-damning evidence that he hasn't abandoned his family.

Axios

How America got its most powerful EPA boss

By Amy Harder, 7/31/17

Scott Pruitt is the most aggressive leader of the Environmental Protection Agency in its almost 50-year history. But he didn't come out of nowhere. His ascendance to the agency reflects changing politics of the past few decades.

My thought bubble: When the nonstop Twitter-sized news cycle makes everything seem like the biggest and newest deal ever, tracking down historical context is a worthy exercise. Pruitt's environmental views

are actually in line with most of the Republican Party since Ronald Reagan was elected president in 1980. What's changed is how empowered Pruitt is under President Trump, the emergence of climate change as a top environmental issue and a prior administration that was aggressive in its own right issuing regulations.

In interviews with four former EPA bosses and many other longtime agency watchers, a clearer picture emerges of where Pruitt's still new but already controversial stint fits into EPA's history.

Pruitt stands out as an outlier in EPA's history for three reasons.

1. Most past Republican presidents nominated EPA administrators who were more to the left on environmental issues than the Republican Party writ large. That's not the case this time with Pruitt, a former attorney general of Oklahoma with very little expertise in environmental issues. Like most Republicans in public office at the federal level, Pruitt opposes most regulations, questions climate change science and emphasizes economic growth. This dynamic empowers Pruitt because there's no tension between the EPA and White House like there has been in prior Republican administrations, such as between then-EPA Administrator Christine Todd Whitman and the George W. Bush White House. There's also little tension with the GOP-controlled Congress.
2. The EPA has (mostly) solved the most basic and widespread public health and environmental problems that plagued the U.S. back around the '60's. Climate change is now the top environmental issue in the country. That politicizes the EPA, makes it less of a big deal to average Americans and fuels antipathy from elected Republicans, most of whom don't acknowledge it's a real issue.
3. The Obama administration issued a steady stream of major regulations on climate change and other more traditional pollution, which were partly prompted by inaction or lawsuits from the Bush administration. It was one of the most aggressive EPA's ever, and the first one to address climate change. Those two things swung Washington's political pendulum to the left, and then stirred political momentum to swing it to the right.

"Getting compared to who came before and who came after is inevitable," said Carol Browner, the longest-serving EPA administrator in history who ran the agency under Democrat President Bill Clinton. "If you follow an inactive administration it looks like you're active and you are because that's your job."

Pruitt's leadership so far most closely resembles that of the late Anne Gorsuch Burford, the first EPA administrator under Reagan who resigned two years into her tenure. She faced backlash for cutting the agency's budget and repealing a host of Carter-era policies. Pruitt is the first EPA boss since her to prioritize repealing regulations.

"A few prior EPA Administrators have given lip service to regulatory reform, but they have always focused on leaving an environmental legacy," said Jeff Holmstead, a top EPA official in the Bush administration and a former frontrunner to be the No. 2. official in Trump's EPA. "Administrator Pruitt has shown that he is much more interested in reducing regulatory burdens than in getting positive reviews from the environmental community."

There are some important differences between now and then.

"Pruitt and the people who are helping him are more sophisticated," said Bill Ruckelshaus, EPA's first administrator when Republican President Richard Nixon created the agency in 1970. "Therefore, he can do more damage at least in my eyes, and have a bigger impact than was true of Anne Gorsuch Burford or anybody else."

The 85-year-old Ruckelshaus, speaking by phone from Seattle last week, would know because Reagan asked him to come back to restore the public's trust in the agency in 1983 after Burford resigned.

Ruckelshaus says there's another big difference from the '80's: the rise of influential conservative groups like the Competitive Enterprise Institute and the Heritage Foundation since then that are backing Pruitt's agenda.

All of the former EPA administrators I interviewed don't support how Pruitt is handling things. They say he's shirking the agency's mission of protecting the environment by repealing so many regulations. That said, I didn't get to question two of the most recent administrators whose agendas were more aligned with that of Pruitt.

Stephen Johnson, who ran EPA for the last four years of the Bush administration, faced criticism for slow-walking action on climate change. Reached by phone last week, Johnson said he wasn't taking interviews. He did answer one question though: He has talked with Pruitt since he took over EPA. No other former agency chief going back to the George H. W. Bush administration I talked to has talked to Pruitt since he took over the agency. Ruckelshaus said every other incoming EPA chief has reached out to him other than Pruitt.

Mike Leavitt, who briefly ran EPA under Bush before Johnson, declined to be interviewed, saying through a spokesperson that he hasn't been following EPA issues for 12 years and wasn't prepared to discuss Pruitt.

For the record: Pruitt wasn't available for an interview. An EPA spokeswoman pushed back against the notion that Pruitt is not committed to EPA's mission of protecting the environment. "We are not disregarding it; we are restoring it," said EPA spokeswoman Liz Bowman. "We believe the core mission of the Agency is to deliver real results to provide Americans with clean air, land, and water."

Reuters

<https://www.reuters.com/article/us-usa-coal-exports-idUSKBN1AD0DU>

U.S. Coal Exports Soar, In Boost To Trump Energy Agenda, Data Shows

By Timothy Gardner and Nina Chestney, 7/28/17

U.S. coal exports have jumped more than 60 percent this year due to soaring demand from Europe and Asia, according to a Reuters review of government data, allowing President Donald Trump's administration to claim that efforts to revive the battered industry are working.

The increased shipments came as the European Union and other U.S. allies heaped criticism on the Trump administration for its rejection of the Paris Climate Accord, a deal agreed by nearly 200 countries to cut carbon emissions from the burning of fossil fuels like coal.

The previously unpublished figures provided to Reuters by the U.S. Energy Information Administration showed exports of the fuel from January through May totaled 36.79 million tons, up 60.3 percent from 22.94 million tons in the same period in 2016. While reflecting a bounce from 2016, the shipments remained well-below volumes recorded in equivalent periods the previous five years.

They included a surge to several European countries during the 2017 period, including a 175 percent increase in shipments to the United Kingdom, and a doubling to France - which had suffered a series of nuclear power plant outages that required it and regional neighbors to rely more heavily on coal.

"If Europe wants to lecture Trump on climate then EU member states need transition plans to phase out polluting coal," said Laurence Watson, a data scientist working on coal at independent think tank Carbon Tracker Initiative in London.

Nicole Bockstaller, a spokeswoman at the EU Commission's Energy and Climate Action department, said that the EU's coal imports have generally been on a downward trend since 2006, albeit with seasonable variations like high demand during cold snaps in the winter.

Overall exports to European nations totaled 16 million tons in the first five months of this year, up from 10.5 million in the same period last year, according to the figures. Exports to Asia meanwhile, totaled 12.3 million tons, compared to 6.2 million tons in the year-earlier period.

Trump had campaigned on a promise to "cancel" the Paris deal and sweep away Obama-era environmental regulations to help coal miners, whose output last year sank to the lowest level since 1978. The industry has been battered for years by surging supplies of cheaper natural gas, brought on by better drilling technologies, and increased use of natural gas to fuel power plants.

His administration has since sought to kill scores of pending regulations he said threatened industries like coal mining, and reversed a ban on new coal leasing on federal lands.

Taking Credit

Both the coal industry and the Trump administration said the rising exports of both steam coal, used to generate electricity, and metallurgical coal, used in heavy industry, were evidence that Trump's agenda was having a positive impact.

"Simply to know that coal no longer has to fight the government - that has to have some effect on investment decisions and in the outlook by companies, producers and utilities that use coal," said Luke Popovich, a spokesman for the National Mining Association.

Shaylyn Hynes, a spokeswoman at the U.S. Energy Department, said: "These numbers clearly show that the Trump Administration's policies are helping to revive an industry that was the target of costly and job killing overregulation from Washington for far too long."

Efforts to obtain comment from exporters Arch Coal (ARCH.N) and privately held Murray Energy Corp were unsuccessful. Contura Energy, which emerged as part of Alpha Natural Resource's bankruptcy and restructuring, and filed for public offering in May, declined to comment.

A spokesman for Peabody Energy, the largest coal producer, though without a major export profile, said the United States was generally a "swing supplier of seaborne coal."

U.S. Energy Information Administration analyst Elias Johnson said the U.S. coal industry may now be better positioned to meet foreign demand because U.S. miners have learned to produce at lower cost, after coming through a series of recent bankruptcies.

"There's the possibility that the U.S. will become more of a primary player in the global coal trade market," he said.

But he added there are also plenty of reasons the spike in demand could be temporary. For one thing, U.S. coal production and transportation costs are much higher than for other producers such as Indonesia and Australia.

Because coal can often be transhipped from European ports before it is consumed, it is also hard to determine where shipments ultimately end up.

Johnson pointed out that some of the fuel shipped into Western Europe, for example, could be making its way to other places like Ukraine, which is having trouble securing coal from its separatist-held regions.

Trump said last month that his administration is offering more coal to Ukraine, but it was unclear how, given deals are typically worked out between companies.

The Associated Press

<https://www.usnews.com/news/best-states/indiana/articles/2017-07-30/epa-to-give-update-on-lead-tainted-evansville-superfund-site>

EPA To Give Update On Lead-Tainted Evansville Superfund Site

By Associated Press, 7/30/17

The U.S. Environmental Protection Agency is ready to give Evansville residents an update on its cleanup of the city's lead-tainted Superfund site.

The federal agency will host a Monday open house at the Evansville Vanderburgh Public Library to discuss the southwestern Indiana site's ongoing cleanup and answer questions about lead soil sampling, test results and public health.

The EPA listed Evansville's Jacobsville neighborhood area as a Superfund cleanup several years ago because of lead and lesser arsenic contamination blamed on several long-defunct factories. The site that includes all or parts of about a dozen older neighborhoods is on the EPA's list of the nation's most contaminated sites.

The EPA continues to remove contaminated soil from the site. Additional cleanup work is planned to continue through at least 2020.

The Wall Street Journal

<https://www.wsj.com/articles/russia-to-force-out-755-u-s-diplomats-and-staff-1501447537>

Russia To Cut 755 U.S. Diplomats, Staff Amid New Sanctions

By Thomas Grove, 7/30/17

Russian President Vladimir Putin said Sunday that the U.S. would have to cut 755 diplomats and staff in the country by September in retaliation for impending U.S. sanctions on Moscow.

In an interview with Russian state television, Mr. Putin said the U.S. presence in Russia would be reduced by more than half, following the passage of new sanctions legislation by Congress that has

further frayed ties between Moscow and Washington. The White House has indicated that President Donald Trump plans to sign the legislation.

“We had hoped that the situation would somehow change,” Mr. Putin said. “But judging by everything, if it changes, it won’t happen fast.”

Mr. Putin held out the possibility of additional measures but said that at this point he was against taking further punitive steps. “I hope it doesn’t come to that,” he said.

Mr. Putin told state television that slightly more than 1,000 U.S. diplomatic and technical staff work in Russia at present.

Last week, the Russian foreign ministry said the number of U.S. diplomatic and technical staff in Russia as of Sept. 1 would be reduced to 455, the same number of Russian diplomats now operating in the U.S.

It’s unclear how the reductions will affect American citizens working in the U.S. embassy and in three U.S. consulates in Russia; many of the people who work in those facilities are local hires.

A State Department official said Sunday, “This is a regrettable and uncalled for act. We are assessing the impact of such a limitation and how we will respond to it.”

A U.S. official said the move to trim down staff could slow down the embassy’s ability to issue visas, among other possible consequences.

The largest-to-date diplomatic expulsion involving Washington and Moscow occurred in 1986, when President Ronald Reagan ordered 55 Soviet diplomats to leave the country over espionage allegations.

Andrey Kortunov, head of the Russian International Affairs Council think tank, said the moves by Russia indicate Moscow is changing its tack to a “more aggressive” approach to the U.S. after a period of relative calm over the past several months.

Russia’s relationship with the U.S. has been a major factor in Mr. Trump’s first months in office. During the presidential campaign, Mr. Trump avoided criticizing Mr. Putin even as he claimed China, Mexico and others were dealing unfairly with the U.S., chiefly in terms of trade.

Mr. Trump also has voiced skepticism over U.S. intelligence findings that Russia meddled through hacking and propaganda in the presidential election to favor Mr. Trump.

Investigations in Congress and by special counsel Robert Mueller into that meddling—and whether any Trump campaign officials colluded—have been criticized by the president as a “witch hunt” ginned up by Democrats bitter over his victory. Mr. Trump has denied any collusion and the Russians have denied meddling.

Mr. Trump has said that it is better for the U.S. and Russia to work together on problems like fighting Islamic State in Syria than to be antagonists. He and Mr. Putin held a high-profile meeting, and had a subsequent chat at dinner, during the recent Group of 20 meeting in Hamburg, Germany.

Though the two leaders agreed to enforce a cease-fire in part of Syria, further cooperation over fighting terrorism there has yet to materialize in a meaningful way. Mr. Trump earlier this year ordered dozens of missiles launched at a Syrian airstrip from which U.S. officials said the Syrian regime had launched a chemical-weapon attack in April—the first direct U.S. missile strike into Syria during the yearslong conflict, and a message aimed at both Syria and its Russian allies.

Late last year, the Kremlin leader elected not to respond after the administration of then-President Barack Obama expelled 35 Russian diplomats from the U.S. over allegations that Moscow had interfered in the U.S. presidential election.

At the time, Russian officials had hoped to improve ties with the incoming administration of Mr. Trump. But hopes of a rapprochement with Washington have faded in Moscow.

Russian diplomats in the U.S. have been denied access to two diplomatic retreats on American soil since late last year. On Friday, Russia said a summer home on the outskirts of Moscow used by U.S. diplomats has likewise been shuttered.

The Associated Press

<https://apnews.com/545f5f6903e347c6bb8b85ef0c709de5/Trump's-new-chief-of-staff-takes-over-a-White-House-in-chaos>

Trump Insists There's No Chaos At White House

By Catherine Lucey, 7/31/17

President Donald Trump insisted Monday there is no chaos at the White House, even as his new chief of staff is entering a West Wing battered by crisis.

Retired Gen. John Kelly, previously the Homeland Security secretary, takes over Monday from the ousted Reince Priebus, bringing his military experience to an administration weighed down by a stalled legislative agenda, a cabal of infighting West Wing aides and a stack of investigations.

While Trump is looking for a reset, he pushed back against criticism of his administration on Twitter Monday. He said: "Highest Stock Market EVER, best economic numbers in years, unemployment lowest in 17 years, wages raising, border secure, S.C.: No WH chaos!"

Kelly's success in a chaotic White House will depend on how much authority he is granted and whether Trump's dueling aides will put aside their rivalries to work together. Also unclear is whether a new chief of staff will have any influence over the president's social media histrionics.

Former Trump campaign manager Cory Lewandowski, who was ousted from the campaign in June 2016, said on NBC's "Meet the Press" that he expected Kelly would "restore order to the staff" but also stressed that Trump was unlikely to change his style.

"I say you have to let Trump be Trump. That is what has made him successful over the last 30 years. That is what the American people voted for," Lewandowski said. "And anybody who thinks they're going to change Donald Trump doesn't know Donald Trump."

Kelly's start follows a tumultuous week, marked by a profane tirade from the new communications director, Trump's continued attacks on his attorney general and the failed effort by Senate Republicans to overhaul the nation's health care law.

In addition to strain in the West Wing and with Congress, Kelly starts his new job as tensions escalate with North Korea. The United States flew two supersonic bombers over the Korean Peninsula on Sunday in a show of force against North Korea, following the country's latest intercontinental ballistic missile test. The U.S. also said it conducted a successful test of a missile defense system located in Alaska.

Sen. Dianne Feinstein, D-Calif., said on CBS' "Face the Nation" that she hopes Kelly can "be effective," and "begin some very serious negotiation with the North and stop this program."

Another diplomatic fissure opened Sunday when Russian President Vladimir Putin said the U.S. would have to cut its embassy and consulate staff in Russia by several hundred under new sanctions from Moscow. In a television interview, Putin indicated the cutback was retaliation for new sanctions in a bill passed by Congress and sent to Trump.

Trump plans to sign the measure into law, the White House has said. After Putin's remarks, the State Department deemed the cutbacks "a regrettable and uncalled for act" and said officials would assess the impact and how to respond to it.

While Trump is trying to refresh his team, he signaled that he does not want to give up the fight on health care. On Twitter Sunday, he said: "Don't give up Republican Senators, the World is watching: Repeal & Replace."

The protracted health care fight has slowed Trump's other policy goals, including a tax overhaul and infrastructure investment. But Trump aides made clear that the president still wanted to see action on health care. White House budget director Mick Mulvaney said on CNN's "State of the Union," that senators "need to stay, they need to work, they need to pass something."

Asked if nothing should be voted on in Congress until the Senate votes again on health care, Mulvaney said: "well, think — yes. And I think what you're seeing there is the president simply reflecting the mood of the people."

On Saturday, Trump threatened to end required payments to insurance companies unless lawmakers repeal and replace the Obama-era health care law. He tweeted that if "a new HealthCare Bill is not approved quickly, BAILOUTS for Insurance Companies and BAILOUTS for Members of Congress will end very soon!"

The payments reduce deductibles and co-payments for consumers with modest incomes. Trump has guaranteed the payments through July, but has not made a commitment going forward.

White House counselor Kellyanne Conway said on "Fox News Sunday" that Trump would make a decision on the payments this week.

Sen. Susan Collins, R-Maine, who opposed the efforts to move a health bill forward this week, said on CNN that cutting the payments would "be detrimental to some of the most vulnerable citizens" and that the threat has "contributed to the instability in the insurance market."

The House has begun a five-week recess, while the Senate is scheduled to work two more weeks before a summer break.

The Wall Street Journal

<https://www.wsj.com/articles/as-washington-stalls-company-profits-keep-trucking-1501423201>

U.S. Companies Post Profit Growth Not Seen In Six Years

By Theo Francis and Thomas Gryta, 7/30/17

America's largest companies are on pace to post two consecutive quarters of double-digit profit growth for the first time since 2011, helped by years of cost-cutting, a weaker dollar and stronger consumer spending.

Earnings at S&P 500 companies are expected to rise 11% in the second quarter, according to data from Thomson Reuters, following a 15% increase in the first quarter. Close to 60% of the firms in the index have reported second-quarter results so far.

Corporate America's strong earnings performance comes as several policy initiatives that were expected to help boost companies' bottom line—corporate-tax cuts and increased government spending on infrastructure—have been sidetracked amid political infighting in Washington, D.C., which culminated with the recent failure of the health-law bill.

Even as activity inside the Beltway bogged down, the markets have been on an almost nonstop rally since the election. The S&P 500 is up 16% since early November and 10% this year.

"You could argue that the stock-market investor overestimated Trump but underestimated earnings," said Christopher Probyn, chief economist for State Street Global Advisors.

The second-quarter profit gains are spread across industries from Wall Street banks to Detroit's car factories to Silicon Valley's software labs. Earnings are expected to decline only in the utilities sector, according to data from Thomson Reuters.

Several factors are at work, analysts and economists say. A weaker dollar has made it easier to sell U.S.-made goods overseas and has kept borrowing costs low. U.S. wages have improved enough to help bolster consumer spending without raising employer labor costs so much to dent the bottom line.

Companies also continue to reap the fruits of their recent zeal for cutting costs, Mr. Probyn said. "We underestimated some of the cost-cutting and restructuring that has gone on within the various industries; that has permitted earnings to keep doing well."

Sales, too, rose in the quarter, by an expected 5%, the second-biggest increase in more than five years, according to data from Thomson Reuters. The figures reflect actual results for about half the S&P 500 index, and analysts' estimates for those that had yet to report results as of Friday.

On Friday, the Commerce Department reported that gross domestic product rose at a 2.6% rate in the second quarter, up from 1.2% in the first quarter.

Executives say even rapid progress on a tax rewrite or an infrastructure bill is unlikely to help improve profits soon.

“We’re halfway through the year, and they haven’t done [tax overhaul],” Christopher Nassetta, CEO of Hilton Worldwide Holdings Inc. said last week. “We’re not going to have enough time for it to trickle through and really benefit this year.”

On an investor call earlier this month, James Dimon, chief executive officer of J.P. Morgan Chase & Co. said: “We’ve been growing at 1.5% to 2% in spite of stupidity and political gridlock because the American business sector is powerful and strong and is going to grow regardless.” Mr. Dimon has made several comments about the need for bipartisan policy revamps.

The White House didn’t respond to a request for comment.

“Political and policy uncertainty continues to weigh on health care, taxation, regulation and trade,” Debra Cafaro, chief executive of Ventas Inc., a real-estate investment firm specializing in senior housing and health-care property, said Friday. “Washington has been wildly unpredictable.”

As executives discuss results with investors and analysts, events in Washington have faded into the background. S&P 500 companies that mentioned President Donald Trump or his administration during their latest conference calls are down by a third compared with three months ago, according to an analysis by research firm Sentio.

The market has also largely stopped reacting to blow-by-blow developments in Washington, despite uncertainty over the size, shape and timing of any tax and infrastructure initiatives, said Quincy Krosby, chief market strategist with Prudential Financial Inc.

Last week, congressional Republicans and the Trump administration outlined some plans for tax changes to cut individual and corporate tax rates “as much as possible” with a timeline to advance legislation this fall. Many specifics aren’t yet known. President Trump has also promised to put \$1 trillion toward infrastructure, likely from a mix of private and public funding, although details remain unclear.

Corning Inc. CEO Wendell Weeks, who was at the White House this month to announce new U.S. investment and hiring, told analysts last week that he still expects Congress to overhaul the tax code—eventually.

“What I am much less confident about is how the political math works in any given year,” Mr. Weeks said. “So I think calling timing on that one is above my pay grade.”

Honeywell International Inc. CEO Darius Adamczyk earlier this month said he hoped lawmakers would advance plans for revamping the tax code as soon as the current quarter. Still, he isn’t counting on it.

“I think there’s more uncertainty in that now than maybe even before, so I can’t let that sort of rule the business,” Mr. Adamczyk said.

That uncertainty could make it difficult for companies to sustain robust earnings growth, said Omar Aguilar, chief investment officer of equities for Charles Schwab Investment Management.

Companies are reporting solid cash flow, but capital spending has been weak until recently. Uncertainty over tax policy may exacerbate that reluctance to invest, Mr. Aguilar said. "Tax reform is clearly what the future may require for these numbers to continue on the same pace."

Evan Greenberg, CEO of insurer Chubb Ltd. , told investors last week that the U.S. badly needs a tax-code overhaul and higher government infrastructure spending to remain competitive.

"But an awful lot of this requires legislation, and we need an administration that is focused, that is working with Congress," he said in a conference call. "And we need a Congress that comes together to address these issues of our country."

The Wall Street Journal

<https://www.wsj.com/articles/climate-change-isnt-the-end-of-the-world-1501446277>

Climate Change Isn't The End Of The World

By David R. Henderson and John H. Cochrane, 7/30/17

Climate change is often misunderstood as a package deal: If global warming is "real," both sides of the debate seem to assume, the climate lobby's policy agenda follows inexorably.

It does not. Climate policy advocates need to do a much better job of quantitatively analyzing economic costs and the actual, rather than symbolic, benefits of their policies. Skeptics would also do well to focus more attention on economic and policy analysis.

To arrive at a wise policy response, we first need to consider how much economic damage climate change will do. Current models struggle to come up with economic costs commensurate with apocalyptic political rhetoric. Typical costs are well below 10% of gross domestic product in the year 2100 and beyond.

That's a lot of money—but it's a lot of years, too. Even 10% less GDP in 100 years corresponds to 0.1 percentage point less annual GDP growth. Climate change therefore does not justify policies that cost more than 0.1 percentage point of growth. If the goal is 10% more GDP in 100 years, pro-growth tax, regulatory and entitlement reforms would be far more effective.

Yes, the costs are not evenly spread. Some places will do better and some will do worse. The American South might be a worse place to grow wheat; Southern Canada might be a better one. In a century, Miami might find itself in approximately the same situation as the Dutch city of Rotterdam today.

But spread over a century, the costs of moving and adapting are not as imposing as they seem. Rotterdam's dikes are expensive, but not prohibitively so. Most buildings are rebuilt about every 50 years. If we simply stopped building in flood-prone areas and started building on higher ground, even the costs of moving cities would be bearable. Migration is costly. But much of the world's population moved from farms to cities in the 20th century. Allowing people to move to better climates in the 21st will be equally possible. Such investments in climate adaptation are small compared with the investments we will regularly make in houses, businesses, infrastructure and education.

And economics is the central question—unlike with other environmental problems such as chemical

pollution. Carbon dioxide hurts nobody's health. It's good for plants. Climate change need not endanger anyone. If it did—and you do hear such claims—then living in hot Arizona rather than cool Maine, or living with Louisiana's frequent floods, would be considered a health catastrophe today.

Global warming is not the only risk our society faces. Even if science tells us that climate change is real and man-made, it does not tell us, as President Obama asserted, that climate change is the greatest threat to humanity. Really? Greater than nuclear explosions, a world war, global pandemics, crop failures and civil chaos?

No. Healthy societies do not fall apart over slow, widely predicted, relatively small economic adjustments of the sort painted by climate analysis. Societies do fall apart from war, disease or chaos. Climate policy must compete with other long-term threats for always-scarce resources.

Facing this reality, some advocate that we buy some "insurance." Sure, they argue, the projected economic cost seems small, but it could turn out to be a lot worse. But the same argument applies to any possible risk. If you buy overpriced insurance against every potential danger, you soon run out of money. You can sensibly insure only when the premium is in line with the risk—which brings us back where we started, to the need for quantifying probabilities, costs, benefits and alternatives. And uncertainty goes both ways. Nobody forecast fracking, or that it would make the U.S. the world's carbon-reduction leader. Strategic waiting is a rational response to a slow-moving uncertain peril with fast-changing technology.

Global warming is not even the obvious top environmental threat. Dirty water, dirty air and insect-borne diseases are a far greater problem today for most people world-wide. Habitat loss and human predation are a far greater problem for most animals. Elephants won't make it to see a warmer climate. Ask them how they would prefer to spend \$1 trillion—subsidizing high-speed trains or a human-free park the size of Montana.

Then, we need to know what effect proposed policies have and at what cost. Scientific, quantifiable or even vaguely plausible cause-and-effect thinking are missing from much advocacy for policies to reduce carbon emissions. The Intergovernmental Panel on Climate Change's "scientific" recommendations, for example, include "reduced gender inequality & marginalization in other forms," "provisioning of adequate housing," "cash transfers" and "awareness raising & integrating into education." Even if some of these are worthy goals, they are not scientifically valid, cost-benefit-tested policies to cool the planet.

Climate policy advocates' apocalyptic vision demands serious analysis, and mushy thinking undermines their case. If carbon emissions pose the greatest threat to humanity, it follows that the costs of nuclear power—waste disposal and the occasional meltdown—might be bearable. It follows that the costs of genetically modified foods and modern pesticides, which can feed us with less land and lower carbon emissions, might be bearable. It follows that if the future of civilization is really at stake, adaptation or geo-engineering should not be unmentionable. And it follows that symbolic, ineffective, political grab-bag policies should be intolerable.

TRUMP TWEETS



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EPA News Highlights 7/17/2017

The Wall Street Journal: The D.C. Circuit V. Deregulation

Mr. Pruitt can appeal to the Supreme Court, but that means waiting into next year for a ruling. He can continue his review with an eye toward reissuing a new, less-onerous methane rule, but in the interim the EPA may be obliged to enforce the Obama version. This means imposing new costs and uncertainty on businesses that would have to comply even if the rule is ultimately withdrawn. Look for a deluge of such lawsuits as progressives resort to the courts to compensate for their defeat in 2016. The D.C. Circuit's afflatus also underscores the stakes in judicial nominations and why even appellate courts have become political battlegrounds. We're in dangerous political territory when judges appear to join the anti-Trump resistance on such flimsy legal grounds.

The Washington Examiner: EPA mulls unions' ideas for a Trump 'clean coal' power plan

It might sound counterintuitive that the Trump administration is contemplating a "replacement" version of former President Barack Obama's climate change rules, but that's what miners and major labor groups are pushing in meetings with the Environmental Protection Agency and the White House. The EPA is reviewing the Obama administration's Clean Power Plan as part of a process that ultimately will see the plan repealed or re-proposed as a replacement rule that it can justify as legally defensible under the Clean Air Act.

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A former employee of Suzuki Motor Corp's U.S. operations pleaded guilty on Friday to filing a false report and violating the Clean Air Act over excess emissions in more than 23,000 2012 model year motorcycles, court documents showed. The case is the latest in a series of civil and criminal actions the U.S. Environmental Protection Agency and the Justice Department have pursued to crack down on automakers that cheat on pollution tests in an attempt to avoid paying the costs of compliance.

The Washington Examiner: Trump's former EPA transition chief sees job cuts as a priority

The former head of Trump's Environmental Protection Agency transition team is setting his sights on making sure proposed job cuts at the EPA stick as the agency's budget makes its way through the House Appropriations Committee. The 3,000-person cut is one of the only areas where House appropriators agreed with President Trump's budget request. "So, there will be a smaller EPA coming out of this, even though the budget cut was only about 6 or 7 percent, rather than 31 percent" that Trump requested, Myron Ebell told the Washington Examiner in an interview.

Inside EPA: 7th Circuit Hands Win To EPA On D.C. Circuit Review of 'National' Policies

The decision is a win for EPA and the Department of Justice (DOJ) which had argued that keeping the suit over one specific area's designation in the 7th Circuit risked fragmentation of the methods by which different areas across the United States are labeled attainment or nonattainment for the SO₂ and other national ambient air quality standards (NAAQS). Electric utility Southern Illinois Power in the case challenged a Jan. 18 Obama EPA decision to reject its petition for reconsideration of the July 12, 2016,

nonattainment designation for Williamson County, IL. The area surrounds the company's Marion, IL, power plant. But Judge Diane Sykes, writing the opinion for fellow Judges William Bauer and Kenneth Ripple, said the designation was part of a nationally applicable rule. Under the Clean Air Act, challenges to such regulations must be heard in the D.C. Circuit, but other circuits can hear suits over EPA rules without national impact.

The Union Leader: EPA awards \$936K grant to state

The Environmental Protection Agency has awarded a \$936,308 grant to the N.H. Department of Environmental Services to fund projects aimed at reducing air and water pollution, improving waste management and promoting pollution prevention. DES will use a portion of the funding for public drinking water maintenance and testing at wells and public beaches, according to state officials.

Morning Consult: Cancer Data Being Suppressed by International Organization

Right now, there is a controversy that has called into question a finding by an international organization that a common chemical is a cancer-causing agent. Last month, Reuters reported on new data that might mean the final nail in the coffin for allegations that glyphosate, the active ingredient in the world's most widely used weed killer, is a known carcinogen. As a direct result of Reuters's reporting, Rep. Tom Cole (R-Okla.) asked Environmental Protection Agency Administrator Scott Pruitt to make sure the agency reviews the previously undisclosed data from a previously withheld Agricultural Health Study, which shows that glyphosate does not cause cancer. In a controversial assessment of glyphosate, the International Agency for Research on Cancer, an arm of the World Health Organization, disregarded AHS data presented during deliberations that contradicted a finding that glyphosate is "probably carcinogenic." That pronouncement caused confusion among consumers and controversy among policymakers on the safety of the common weed killer that is still playing out on the international stage.

Full Articles:

The Wall Street Journal

The D.C. Circuit v. Deregulation

By Editorial Staff, 7/17/17

Harry Reid may have left Washington, but the former Senate Majority Leader's legacy abides in a D.C. Circuit Court of Appeals stacked with progressives ready to defend the Obama Administration's agenda. One of those judges joined a Bill Clinton appointee this month to salvage President Obama's methane rule with an extraordinary display of raw judicial power.

Barack Obama's Environmental Protection Agency imposed the controversial rule forcing oil and gas drillers to slash methane emissions—never mind that such emissions are already falling. Scott Pruitt, the new EPA Administrator, announced in April that the agency would reconsider the rule.

One reason is that the Obama EPA included provisions in the final rule that weren't in the proposed version and thus weren't open to public comment. Mr. Pruitt also issued a 90-day stay of the rule's June 3 compliance date, and such a stay is clearly within his powers under the Clean Air Act.

Six environmental groups quickly filed an emergency lawsuit with the D.C. Circuit, which Mr. Reid packed with liberal jurists after killing the Senate filibuster for appellate-court nominees. One of those judges, Robert Wilkins, joined Judge David Tatel in a 2-1 ruling that blocked the Pruitt stay with the effect of imposing the Obama policy (*Clean Air Council v. Pruitt*).

The opinion is extraordinary for taking such action despite its acknowledgment that the court can only review “final agency actions” and that the EPA’s decision to reconsider the rule is not final. The two judges nonetheless contort themselves to explain why a stay is really the same as “revoking a rule”—and thus is final and so the court has jurisdiction.

In her dissent, Judge Janice Rogers Brown skewered this legal creativity: “In contrast to our precedent, the Court’s opinion concludes a particular administrative proceeding has innumerable final agency actions, including intermediate decisions. No authority supports this proposition.”

The judges are claiming the courts are the final arbiters of when a federal agency can stay its own rules pending reconsideration. This has implications for other Obama regulations that the Trump Administration is now reviewing—such as net neutrality at the Federal Communications Communication or the Education Department’s gainful-employment rule for colleges.

This is a sweeping new claim of judicial powers of administrative review, and it follows the pattern set by the Fourth and Ninth Circuits in their rulings blocking President Trump’s immigration order. The Supreme Court unanimously rebuked those courts before it left town by allowing the order to proceed in nearly all cases until it can hear the merits in October.

Mr. Pruitt can appeal to the Supreme Court, but that means waiting into next year for a ruling. He can continue his review with an eye toward reissuing a new, less-onerous methane rule, but in the interim the EPA may be obliged to enforce the Obama version. This means imposing new costs and uncertainty on businesses that would have to comply even if the rule is ultimately withdrawn.

Look for a deluge of such lawsuits as progressives resort to the courts to compensate for their defeat in 2016. The D.C. Circuit’s afflatus also underscores the stakes in judicial nominations and why even appellate courts have become political battlegrounds. We’re in dangerous political territory when judges appear to join the anti-Trump resistance on such flimsy legal grounds.

The Washington Examiner

<http://www.washingtonexaminer.com/epa-mulls-unions-ideas-for-a-trump-clean-coal-power-plan/article/2628452>

EPA mulls unions' ideas for a Trump 'clean coal' power plan

By John Siciliano, 7/17/17

It might sound counterintuitive that the Trump administration is contemplating a "replacement" version of former President Barack Obama's climate change rules, but that's what miners and major labor groups are pushing in meetings with the Environmental Protection Agency and the White House.

The EPA is reviewing the Obama administration's Clean Power Plan as part of a process that ultimately will see the plan repealed or re-proposed as a replacement rule that it can justify as legally defensible under the Clean Air Act.

A presentation given by the United Mine Workers of America and boiler and utility unions to the Office of Management and Budget at a June 26 meeting at the White House examined the legal basis for a replacement rule. The meeting included EPA, OMB, AFL-CIO, the International Brotherhood of Electrical Workers, Utility Workers Union of America, and others.

The meeting was part of a series of meetings OMB is holding to review an EPA proposed rule on the Clean Power Plan that many believe will result in a replacement rule, rather than a repeal. But the proposal won't be made public until after the review period concludes.

"The details of any replacement rule will be up to EPA, we offered some suggestions, and we may have more in the future," said Phil Smith, the United Mine Workers' head of communications and government affairs. "I really have no way no gauge at this point whether or not they are serious about it."

Conservative groups and clean energy advocates say that if the EPA goes for a replacement rule, a Trump Clean Power Plan most likely would favor coal-fired power plants by rewarding them for improving boiler heat-rate efficiency. That was one of the options that the labor unions suggested to the administration last month.

Heat-rate efficiency refers to the amount of heat necessary to burn coal to generate a unit of electricity. Increasing heat-rate efficiency reduces the amount of fuel needed to generate power.

"There's a rumor that Administrator [Scott] Pruitt is going to, in order to put the best legal foot forward on climate change, push for what is 'Building Block One' of the Clean Power Plan. That's limited to heat-rate improvements at coal-fired facilities, and that will reduce emissions 2 to 3 percent depending on the figure," said Sam Batkins, who was the conservative American Action Forum's regulatory director until last month.

Batkins discussed the issue before he left the free-market think tank to work for credit card giant Mastercard's policy team. He had been tracking the administration's deregulation agenda, which includes rolling back Obama's climate regulations. He was not part of the OMB meetings, but is privy to what is being considered.

The heat-rate improvements were part of the Obama climate plan's four "building blocks" that states would use to reduce their greenhouse gas emissions. Other blocks included natural gas switching, renewable energy, and energy-efficiency programs, which many states argued goes beyond EPA's authority to regulate.

Under the Obama administration, utilities had criticized the efficiency improvements at coal plants as "wildly over-optimistic" and said they would raise costs for power plants, Batkins recalled.

At the same time, power plants will want to run at the highest efficiency level possible, he said. So, naturally, there is an incentive to make the heat-rate improvements to maximize profits and reduce the cost of operating a plant, he says.

"To some extent, I think Administrator Pruitt is going to work as best he can to sort of minimize those costs," Batkins said.

The recent meetings at the OMB would justify those rumors to some degree, and EPA could be at least contemplating the idea of proposing a heat-rate improvement greenhouse gas emissions plan in which coal comes out a winner.

Although the unions think the idea has merit, they also see room for some sizable tweaks, according to

their presentation.

"Building Block #1 – 'inside the fence' plant efficiency improvements unanimously agreed as valid by state and non - state petitioners," the presentation reads. But then, it says in the next slide that "heat-rate improvements are not very effective in reducing [carbon dioxide] emissions," stating that the original version of the power plant building block was "believed to achieve only 2 - 3 percent reductions reductions of CO2."

Instead, the unions contemplate setting "a standard of performance" based on a statistical analysis of the country's best-performing power plants "to set state targets (e.g., top 20 percent, top 25 percent) in tons or emission rates."

The standard would allow trading of emission credits to minimize the cost of compliance, according to the presentation. It also would have to consider changing the EPA's current standards for New Source Review, which "can dramatically improve plant efficiency."

New Source Review refers to the existing review process used by the EPA to determine if a power plant requires pollution controls under the Clean Air Act. But the process doesn't provide an incentive for a coal power plant to increase efficiency.

"The NSR program has stymied investment in the existing coal fleet" through "onerous NSR permitting requirements," the document read.

Part of the reason the Trump administration would need to weigh its own version of the Clean Power Plan is because of a 2007 Supreme Court ruling in the case *Massachusetts v. EPA*. The high court ruled that the EPA can regulate climate change-causing carbon dioxide emissions as a pollutant, leading the agency to issue a subsequent "endangerment finding" showing that carbon dioxide poses a public health risk and needs to be regulated.

"They have to do something" because of the endangerment finding, said a source with a clean energy group that supports the Clean Power Plan, who spoke on the condition of anonymity to discuss the issue more freely. "Presumably, they are going to go inside the fence line to require minimal efficiency improvements at existing plants, or something like that.... I think they are crafty enough to do that without putting any teeth behind it."

That would keep the D.C. Circuit Court of Appeals from ruling on the lawsuit filed by two dozen states and more than 100 industry groups opposing the Clean Power Plan. The court, which heard oral arguments last fall, could rescind the regulation or back it, or some variation of the two.

The court did agree to allow the EPA time to review the rule. Meanwhile, the climate plan has been stayed by the Supreme Court until the case has been fully litigated.

Pruitt had been a party to the lawsuit when he served as Oklahoma's attorney general. The Trump administration agrees with the legal claims that Pruitt and the states put forward, arguing that the EPA overstepped its authority under the Clean Air Act.

The administration sees the Clean Power Plan as going "outside the fence line" of a power plant by including residential efficiency and state renewable energy programs in regulating emissions.

The OMB and White House did not respond to requests for comment.

EPA spokesman Jahan Wilcox said only that "a revision of the Clean Power Plan is going through the interagency review process."

However, the OMB and EPA personnel who participated in the June 26 meeting "seemed to be quite interested in what we had to say," Smith said. "These meetings are normally very boring affairs with us doing all the talking. That was not the case here. They were engaged and asked a lot of questions."

Environmental groups such as the Sierra Club also met with the administration last month on its plans for the Clean Power Plan. A representative for the group said they used their sitdown to urge the administration to move forward with the Obama administration's finalized rule, but "did not hear much relevant information from OMB."

Sierra Club representatives "simply went and reiterated our support for the Clean Power Plan, which took years to write and involved unprecedented stakeholder outreach with everyone from environmental groups to the fossil fuel industry," the representative said.

Under section 111(d) of the Clean Air Act, the EPA is allowed to regulate emissions only on a plant-by-plant basis and cannot include items outside of the fence line to meet the Clean Power Plan, states, unions and the administration argues.

"We could support an inside the fence replacement rule, especially one coupled to NSR reforms that would help modernize the aging coal fleet," said Smith. "It is also clear to us, as shown by the Supreme Court stay, that the Clean Power Plan was an illegal overreach by going outside the fence."

The clean energy group source said once the new plan is proposed, "We will be arguing along with a lot of other people that you need to do these other things." But he expects the administration to say no, "and we will litigate it, and that will go on forever until the next administration."

MLive

http://www.mlive.com/business/ann-arbor/index.ssf/2017/07/ann_arbors_epa_vehicle_emissio.html

EPA vehicle emission lab in Ann Arbor gets high marks for cost cutting

By Jessica Haynes, 7/15/17

ANN ARBOR, MI - Ann Arbor's National Vehicle and Fuel Emissions Laboratory has been recognized for cutting costs and improving use of resources as part of the U.S. EPA's Federal Green Challenge.

Individual actions by the National Vehicle and Fuel Emissions Laboratory, 2565 Plymouth Road, include cutting paper purchases by 66 percent through increased use of electronic documents and displays and heightened access to Wi-Fi.

The Federal Green Challenge calls on facilities across the country to track progress toward the sustainability goals outlined by the EPA, like reducing costs of building operations and supplies.

The National Vehicle and Fuel Emissions Laboratory is one of 28 locations recognized for achievements related to the Federal Green Challenge in 2016. It was specifically recognized for its purchasing efforts.

The laboratory is part of the Office of Transportation and Air Quality and provides emission testing services for motor vehicles, heavy-duty engines and non-road engine programs.

There were 264 facilities that participated in the Federal Green Challenge in 2016. It is the fifth year for the initiative, which is part of EPA's Sustainable Materials Management program.

According to the EPA website, the Federal Green Challenge in 2016 reduced fuel consumption by more than 500,000 gallons, sent 310 tons of electronics to certified recyclers, saved 9.2 million gallons of industrial water and diverted 336,000 tons of waste from landfills.

EPA Administrator Scott Pruitt said in a statement that efforts by federal agencies have resulted in estimated cost savings of \$17 million.

"Federal agencies across the country are doing their part to minimize their environmental impact, in doing so saving American taxpayers millions of dollars," Pruitt said in the statement.

Reuters

Ex-Suzuki employee pleads guilty to Clean Air Act violation

By David Shepardson, 7/14/17

A former employee of Suzuki Motor Corp's U.S. operations pleaded guilty on Friday to filing a false report and violating the Clean Air Act over excess emissions in more than 23,000 2012 model year motorcycles, court documents showed.

The case is the latest in a series of civil and criminal actions the U.S. Environmental Protection Agency and the Justice Department have pursued to crack down on automakers that cheat on pollution tests in an attempt to avoid paying the costs of compliance.

The Justice Department said Wayne Powell, while serving as a government relations analyst based at Suzuki Motor's U.S. headquarters in Brea, California, submitted a report to the Environmental Protection Agency in September 2013 that said the automaker had credits to offset any excess tailpipe emissions from its motorcycles. The EPA informed Powell that the company did not have any banked credits, however.

Powell submitted a second report in 2014 that said Suzuki's motorcycles did not exceed emissions limits and said he had corrected some mistakes due to a computer software problem. But the Justice Department said he had falsified the numbers in his report.

Under a plea agreement made public Friday in U.S. District Court in Detroit, Powell faces up to two years in prison.

Volkswagen AG in September 2015 admitted using sophisticated secret software in its cars to cheat exhaust emissions tests and pleaded guilty in March in a U.S. court to three felonies in connection with the scandal.

Last week, the government charged a former Audi manager with directing employees at the company, a

division of Volkswagen, to design software to cheat U.S. emissions tests in thousands of Audi diesel cars and previously charged seven other current and former VW employees.

In May, the Justice Department filed a civil lawsuit on accusing Fiat Chrysler Automobiles NV of illegally using software to bypass emission controls in 104,000 U.S. diesel vehicles sold since 2014.

The Washington Examiner

<http://www.washingtonexaminer.com/trumps-former-epa-transition-chief-sees-job-cuts-as-a-priority/article/2628743>

Trump's former EPA transition chief sees job cuts as a priority

By John Siciliano, 7/17/17

The former head of Trump's Environmental Protection Agency transition team is setting his sights on making sure proposed job cuts at the EPA stick as the agency's budget makes its way through the House Appropriations Committee.

The 3,000-person cut is one of the only areas where House appropriators agreed with President Trump's budget request.

"So, there will be a smaller EPA coming out of this, even though the budget cut was only about 6 or 7 percent, rather than 31 percent" that Trump requested, Myron Ebell told the Washington Examiner in an interview.

Ebell said the EPA-Interior budget bill that was voted out of the Appropriations Committee's Interior subcommittee this week will be the focus of a coalition he is part of that includes the libertarian Competitive Enterprise Institute, where he serves as environment and energy director, and other free-market think tanks and advocacy organizations.

"We are going to be pushing for larger cuts than Ken Calvert's subcommittee voted out," Ebell said.

Nevertheless, he is being more selective on which areas he will seek to be cut. The job cuts and the millions of dollars the House gives to EPA for employee buyouts are a primary focus, as well as reducing the size of the agency's regional offices.

Ebell said he is willing to leave alone other areas that Trump proposed to cut in his budget request because of entrenched special interests.

"The things we won't have any luck with is getting rid of the big pork barrel projects, particularly the Great Lakes restoration and the Chesapeake Bay" programs, he said. "Those are huge pork barrel projects, particularly the Great Lakes, which have large support from the special interests."

"We aren't going to mess with those. We are going to look at reducing the size of the program offices, particularly the regional offices budgets," he said. "We aren't going to look at the pass-through grants to the states. We aren't as opposed to that as we are to the overmanning ... [of the agency]."

"The great thing about getting rid of [3,200] EPA regulators is you'll have a lot less regulation, right? So, they won't have as much ability to regulate every damn thing."

Ebell discussed the road forward for cutting environmental spending after the coalition he is leading failed to persuade House lawmakers to include amendments to a major House defense spending bill that would gut the Pentagon's climate change directives.

The coalition argued that the Department of Defense's focus on climate change is a misallocation of resources that places service members in harm's way.

"They moved this bill very quickly, and we didn't really have time to do anything," he said. "We weren't very well prepared because of the very quick schedule, so on the Senate side, we'll have a little more time."

But other hurdles remain in the Senate. "The Senate [appropriations] committee, particularly the Interior subcommittee, is not particularly friendly; Lisa Murkowski [R-Alaska] is the chairman," he said.

"But she is friendly on some of these issues. So, we will have to see. Now that we know what's in the bill, I think we will have a more organized effort over a longer period of time."

Inside EPA

<https://insideepa.com/daily-news/7th-circuit-hands-win-epa-dc-circuit-review-national-policies>

7th Circuit Hands Win To EPA On D.C. Circuit Review of 'National' Policies

By Stuart Parker, 7/14/17

The U.S. Court of Appeals for the 7th Circuit in a unanimous July 12 opinion is agreeing with EPA's bid to transfer to the D.C. Circuit a suit over an area's attainment designation for federal sulfur dioxide (SO₂) air standards, revising its precedent to make it easier to send lawsuits over "nationally applicable" rules to the D.C. Circuit.

The decision is a win for EPA and the Department of Justice (DOJ) which had argued that keeping the suit over one specific area's designation in the 7th Circuit risked fragmentation of the methods by which different areas across the United States are labeled attainment or nonattainment for the SO₂ and other national ambient air quality standards (NAAQS).

Electric utility Southern Illinois Power in the case challenged a Jan. 18 Obama EPA decision to reject its petition for reconsideration of the July 12, 2016, nonattainment designation for Williamson County, IL. The area surrounds the company's Marion, IL, power plant. But Judge Diane Sykes, writing the opinion for fellow Judges William Bauer and Kenneth Ripple, said the designation was part of a nationally applicable rule. Under the Clean Air Act, challenges to such regulations must be heard in the D.C. Circuit, but other circuits can hear suits over EPA rules without national impact.

"Overlapping, piecemeal, multicircuit review of a single, nationally applicable EPA rule is potentially destabilizing to the coherent and consistent interpretation and application of the Clean Air Act," Sykes wrote.

At May 30 oral argument in the case, DOJ attorney Dustin Maghamfar, representing EPA, said that "the D.C. Circuit is the exclusive forum" for challenges to EPA's 2016 rule that said which areas are either attaining or violating the 2010 SO₂ NAAQS. EPA determined the rule to be nationally applicable because

it set designations for many states. “There is real practical harm and consequences to having different rules apply to different parts of the country for how you determine their nonattainment,” he said.

The court's decision endorses EPA's argument that the SO₂ designations rule is nationally applicable and therefore the legal challenge over the area designation at issue in the 7th Circuit belongs in the D.C. Circuit.

In its unanimous opinion transferring the SO₂ litigation, known as *Southern Illinois Power Cooperative v. EPA, et al*, to the D.C. Circuit, the three-judge panel of the 7th Circuit also overturned its own precedent set in a Clean Air Act suit from 1993 in *Madison Gas and Electric Co. v. EPA*, which it said was “mistaken.”

Southern Illinois Power relied on the *Madison Gas* decision to bolster its argument that disputes over designation of areas as attaining or violating federal air standards should be heard in regional courts of appeals, since local circumstances determine whether areas are in attainment with the NAAQS.

EPA countered by asking to transfer the suit to the D.C. Circuit because it hears suits over rules that are nationally applicable or that have been determined by the agency to have “nationwide scope or effect.”

'Nationally Applicable'

Because the designation at issue for Williamson County was part of a rule setting attainment status for the 2010 SO₂ NAAQS, EPA argued in the suit that the rule was “nationally applicable.” As such, the case can only be heard in the D.C. Circuit, the agency said, warning that leaving regional courts to decide such issues would fragment policymaking on NAAQS attainment nationally and leave some areas at a disadvantage to others.

The 7th Circuit panel agreed, finding that *Madison Gas* was wrongly decided. In that case, the court determined that it had jurisdiction to hear a challenge to a Clean Air Act rulemaking that implemented source-specific determinations under the national acid rain program.

The court's decision in *Southern Illinois Power* should make it easier for EPA to ensure disputes over similar air law issues are heard in the D.C. Circuit, for cases originating within the 7th Circuit states of Illinois, Indiana and Wisconsin.

In her opinion for the court, Sykes however downplays the impact of breaking with *Madison Gas*, noting that the court has seldom relied on the case in other decisions and has on several occasions transferred suits contesting NAAQS attainment designations to the D.C. Circuit. “Our decision today does not disturb deeply established precedent; we’ve cited *Madison Gas* in just one published opinion,” the court's 1998 decision in *New York v. EPA*, Sykes writes.

In *New York*, three northeastern states filed a petition for review challenging an EPA action exempting several Great Lakes states from nitrogen-oxide emission regulations. The court found venue proper in the 7th Circuit, because the EPA decision at issue was “limited to a cluster of states; it thus is regional in a literal sense.” Even then, however, “our decision in *New York* did not follow the petition-focused method adopted” in *Madison Gas*, Sykes writes.

Nonetheless, Sykes confronts the precedent set by *Madison Gas*. “Regrettably, *Madison Gas* was mistaken. And here, the structural significance of the Clean Air Act’s venue provision makes the case for

overruling especially strong. Overlapping, piecemeal, multicircuit review of a single, nationally applicable EPA rule is potentially destabilizing to the coherent and consistent interpretation and application of the Clean Air Act. Madison Gas is overruled,” she writes.

Madison Gas “directly contradicts the venue statute’s plain text,” she finds. The “analytical method adopted in Madison Gas stands in direct conflict with the actual text of the venue provision, which . . . focuses entirely on the nature of the agency action in question (is the action nationally applicable or locally or regionally applicable?) and omits any reference to the scope or nature of the petitioner’s challenge.”

'Ultimate Outcome'

Further, the “ultimate outcome” of Madison Gas illustrates why the air law is correct to ensure centralized review of nationally applicable or nationwide rules, Sykes finds. “Despite our initial conclusion in Madison Gas that the petitioner’s challenge was based on an entirely local factor, our final decision on the merits had much broader implications. Indeed, at the merits phase, we rejected the EPA’s interpretation of the statute and vacated the allocation of pollution allowances to the petitioner’s facilities,” Sykes writes. “In so doing, we called into question the EPA’s interpretation of the statute as it applied to other facilities around the country.”

As a result of the Madison Gas ruling, EPA granted the utility more pollution allowances, but also revised the allowances for other facilities across the country to avoid exceeding a national emissions cap, EPA told the court.

The court's opinion accepts the arguments that DOJ's Maghamfar raised in the suit, where he warned against allowing any court but the D.C. Circuit to review the designations rule. If it is easier or harder to be designated attainment in one part of the country versus another, then “that is problematic,” he said at argument.

The court accepted this position and rejected Southern Illinois Power's claim that EPA's designations rule involved a fact-specific determination concerning a single area of the country, and that “it is not a national thing.”

The company claimed that EPA, in effect, grouped 61 different rulemakings on 61 different areas together and labeled them a single national rule, without a factual rationale for doing so.

Although the court sides with EPA in its ruling, the judges rejected EPA's assertion that Southern Illinois Power is “distinguishable” from Madison Gas because the adverse consequences of granting industry's petition in Southern Illinois Power would be greater than those of siding with industry in Madison Gas. The court found the issues in both cases indistinguishable, forcing it to overrule the earlier decision.

The D.C. Circuit must now rule on the merits of the case over the SO₂ designation, but courts have traditionally been deferential to EPA on technical decisions such as which areas are designated nonattainment for NAAQS.

The Union Leader

EPA awards \$936K grant to state

By Union Leader Staff, 7/15/17

The Environmental Protection Agency has awarded a \$936,308 grant to the N.H. Department of Environmental Services to fund projects aimed at reducing air and water pollution, improving waste management and promoting pollution prevention.

DES will use a portion of the funding for public drinking water maintenance and testing at wells and public beaches, according to state officials.

“We continue to rely heavily upon the funding provided through the EPA to support many of our core programs and activities,” said N.H. DES Commissioner Robert Scott. “The consolidation of several grant programs into a single award allows us to reduce administrative costs and direct federal funds to meet the environmental priorities of both the EPA and New Hampshire.”

Federal law allows the EPA to delegate authority to the states or local governments to implement and enforce environmental regulations based on the Clean Air Act, Clean Water Act and the Resource Conservation and Recovery Act. States can develop their own regulations as long as they are more stringent than federal requirements.

“EPA is providing funds directly to New Hampshire so that the state may determine how best to address its unique and critical environmental challenges,” said EPA Administrator Scott Pruitt. “EPA grants to our partners like N.H. DES give states the flexibility to protect their resources and grow their economy while solving real environmental problems in local communities.”

Morning Consult

<https://morningconsult.com/opinions/cancer-data-suppressed-international-organization/>

Cancer Data Being Suppressed by International Organization

By Dan Perrin, 7/17/17

Right now, there is a controversy that has called into question a finding by an international organization that a common chemical is a cancer-causing agent.

Last month, Reuters reported on new data that might mean the final nail in the coffin for allegations that glyphosate, the active ingredient in the world’s most widely used weed killer, is a known carcinogen. As a direct result of Reuters’s reporting, Rep. Tom Cole (R-Okla.) asked Environmental Protection Agency Administrator Scott Pruitt to make sure the agency reviews the previously undisclosed data from a previously withheld Agricultural Health Study, which shows that glyphosate does not cause cancer.

In a controversial assessment of glyphosate, the International Agency for Research on Cancer, an arm of the World Health Organization, disregarded AHS data presented during deliberations that contradicted a finding that glyphosate is “probably carcinogenic.” That pronouncement caused confusion among consumers and controversy among policymakers on the safety of the common weed killer that is still playing out on the international stage.

For instance, the original IARC finding that glyphosate is a carcinogen led the European Commission to delay its decision on whether to re-license European Union-wide sale of herbicides containing the chemical, and caused some countries and municipalities to ban the use of the weed killer in parks, and even privately owned gardens. A petition in Europe calling for the herbicide to be banned gathered 1

million signatures, while a loophole in California's Prop 65 used IARC's study to force all glyphosate-based atomizers sold in the state to carry a disclaimer about its potential effects on human health.

Moreover, IARC's decision frayed public trust in science-based regulations. So it's not only in the interest of farmers and consumers that the EPA perform a full review and release the full data sets. It's also in the interest of transparency and openness — critical features of science itself.

Since it was introduced in the mid-1970s, glyphosate has been seen as one of the most benign herbicides on the market. And that's not just a matter of image. All international and national regulatory bodies have backed up this view. The EPA, the European Food Safety Authority, and others have all concluded that glyphosate does not cause cancer. The one outlier has been IARC.

What's key here is that IARC's methodology for establishing carcinogenicity — it's evaluated more than 989 substances and activities — is vastly different from actual regulatory bodies. For one thing, IARC examines hazard, or the evidence of whether a given substance can theoretically cause cancer in any way — not the risk, or actual chance, that it will do so, based on how people actually use it. Second, it doesn't perform its own studies, but only evaluates research that's already been published in peer-reviewed scientific journals.

Both of these practices go a long way towards explaining why, in four decades' worth of evaluations, IARC has only determined that one substance — an ingredient in nylon that's used in yoga pants! — doesn't cause cancer.

But more than anything, it's IARC's willingness to ignore valuable unpublished research that explains why its assessments have often been out in left field. And the Reuters story shows why.

Unpublished data from AHS, one of the most highly regarded investigations into the effects of pesticides on humans involving scientists from the EPA and other agencies, showed that there was no evidence of an association between glyphosate exposure and cancer. Aaron Blair — who was a senior researcher on that study and chaired IARC's glyphosate review panel — had not only seen the data, but was a participant in the research in his role at the National Cancer Institute. So of course Blair was aware of its implications, which, he admitted under deposition, would've changed IARC's mind.

Blair never published the AHS's data on glyphosate, which was available a full two years before IARC published its assessment — saying there was too much to fit into one paper. The National Cancer Institute also blamed "space constraints" as the reason why the new data wasn't published. Meanwhile, two independent statisticians interviewed by Reuters both noted the significance of the research and couldn't see why the data wasn't published.

At this point, it's too late to go back in time and there's hardly anything the U.S. government can do (other than pressure IARC and threaten to withdraw taxpayer funding) to make it rethink its absurd ban on considering unpublished data. But the least we can do is to have the EPA not only review the AHS data, but also finally bring it out of the dark.

To: sooners7, adm[sooners7@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]
From: Ferguson, Lincoln
Sent: Mon 6/12/2017 11:14:11 AM
Subject: Re: G7 Press Release

I have talked with the group back home:

- We are preparing the release and will distribute to selected/trusted media prior to the announcement, embargoing the release to allow them to prepare their stories ahead of time.
- The release will be distributed from DC as soon as the press conference begins. I will have printed copies onsite to hand to reporters at the press conference.
- Your comments will be on social media as soon as the release goes out.
- Working with Troy to ensure Capitol Hill folks are aware of the decision to release statements of support (after the announcement)
- There will be plenty of media opportunities this week to discuss moving "beyond Paris."

Will keep you updated.

Sent from my iPad

On Jun 12, 2017, at 1:09 PM, sooners7, adm <sooners7@epa.gov> wrote:

Thank you. Now, let's pivot to strategy on deployment.

Sent from my iPhone

On Jun 12, 2017, at 6:59 AM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

FINAL VERSION - 1:00pm

HEADING: United States Resets Climate Change Discussion at G7

SUBHEADING: U.S. formally joins communique, reaching consensus on important environmental issues

Bologna, Italy – U.S. EPA Administrator Scott Pruitt announced Monday the United States stands firm on its decision to withdraw from the Paris Agreement and has reset the conversation about climate change reflective of the new priorities of the Trump Administration and expectations of the American people.

"Respective of the importance to engage with longstanding allies and key international partners, we approached the climate discussions head on from a position of strength and clarity. We are resetting the dialogue to say Paris is not the only way forward to making progress," Administrator Pruitt said.

"Today's action of reaching consensus makes clear the Paris Agreement is not the only mechanism by which environmental stewardship can be demonstrated. It also demonstrates our commitment to honest conversations, which are the cornerstone of constructive international dialogue."

While a party to the communique, the United States did not join the climate change sections, explicitly stating:

"We the United States of America continue to demonstrate through action, having reduced our CO2 footprint as demonstrated by achieving pre-1994 CO2 levels domestically. The United States will continue to engage with key international partners in a manner that is consistent with our domestic priorities, preserving

both a strong economy and a healthy environment. Accordingly, we the United States do not join those sections of the communique on climate and MDBs, reflecting our recent announcement to withdraw and immediately cease implementation of the Paris Agreement and associated financial commitment.”

The United States and its G7 counterparts found common ground engaging in robust and constructive dialogue regarding other, equally important environmental issues. The United States joined consensus throughout the communique including the sections discussing resource efficiency, marine litter, and environmental policies and jobs.

"The United States will continue to show leadership by offering action-oriented solutions to the world's environmental challenges. We have indicated a willingness to engage on an international stage that stands to greatly benefit from American ingenuity, innovation, and advanced technologies. We have already demonstrated significant progress towards mitigating environmental problems and we will continue to develop these for the benefit of all nations," Pruitt said.

Sent from my iPad

On Jun 12, 2017, at 12:47 PM, sooners7, adm <sooners7@epa.gov> wrote:

I like the 12:26 version best. Elegantly simple and forthright.

Sent from my iPhone

On Jun 12, 2017, at 6:38 AM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

UPDATED 12:38 version -

HEADING: United States Resets Climate Change Discussion at G7

SUBHEADING: U.S. formally joins communique, reaching consensus on important environmental issues

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“Respective of the importance to engage with longstanding allies and key international partners, we approached the climate discussions head on from a position of strength, fortitude and full commitment to the interests of the America people. We are resetting the discussion, rejecting

the narrative that the Paris Agreement is the only path forward. The United States is choosing to focus on a different path, one with real results as opposed to a symbolic framework," Administrator Pruitt said.

"Today's action of reaching consensus makes clear the Paris Agreement is not the only mechanism by which environmental stewardship can be demonstrated. It also demonstrates our commitment to honest conversations, which are the cornerstone of constructive international dialogue."

While a party to the communique, the United States did not join the climate change sections, explicitly stating:

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Sent from my iPad

On Jun 12, 2017, at 12:27 PM, Ferguson, Lincoln
<ferguson.lincoln@epa.gov> wrote:

UPDATED 12:26 version:

HEADING: United States Resets Climate Change Discussion at G7

SUBHEADING: U.S. formally joins
communiqué, reaching consensus on
important environmental issues

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Sent from my iPad

On Jun 12, 2017, at 11:57 AM, Jackson, Ryan
<jackson.ryan@epa.gov> wrote:

I like it.

I would recommend removing "consensus" from

While a party to the communique, the United States did not join consensus in the climate change sections, explicitly stating:

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

On Jun 12, 2017, at 5:49 AM, Ferguson, Lincoln
<ferguson.lincoln@epa.gov> wrote:

While a party to the communique, the United States did not
join consensus in the climate change sections, explicitly
stating:

To: Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]
Cc: sooners7, adm[sooners7@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Mon 6/12/2017 3:42:31 AM
Subject: Re: Draft PR

Ex. 5 - Deliberative Process

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 - Personal Privacy

On Jun 11, 2017, at 10:07 PM, Gunasekara, Mandy <Gunasekara.Mandy@epa.gov> wrote:

Please review attached and below press release on your flight and email us any changes. We will catch up on a call either when you land or in the morning.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

<DRAFT Communique PR.docx>

To: Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]
Cc: sooners7, adm[sooners7@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Mon 6/12/2017 3:30:42 AM
Subject: Re: Draft PR

Ex. 5 - Deliberative Process

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 - Personal Privacy

On Jun 11, 2017, at 10:07 PM, Gunasekara, Mandy <Gunasekara.Mandy@epa.gov> wrote:

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<DRAFT Communique PR.docx>

To: sooners7, adm[sooners7@epa.gov]
Cc: Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]
From: Gunasekara, Mandy
Sent: Mon 6/12/2017 2:07:18 AM
Subject: Draft PR
DRAFT Communique PR.docx

Please review attached and below press release on your flight and email us any changes. We will catch up on a call either when you land or in the morning.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

To: Jackson, Ryan[jackson.ryan@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: sooners7, adm
Sent: Fri 9/1/2017 2:19:36 PM
Subject: Re: Evening update

Ex. 5 - Deliberative Process

Sent from my iPhone

On Aug 31, 2017, at 6:57 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

What if we emailed Kelly this:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Jackson, Ryan

Sent: Thursday, August 31, 2017 7:25 PM

To: sooners7, adm <sooners7@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Subject: Evening update

I'm behind on getting something directly to GEN Kelly from you. Do you already have his contact information?

Ryan Jackson

Chief of Staff

U.S. Environmental Protection Agency

Ex. 6 - Personal Privacy

To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: sooners7, adm
Sent: Tue 8/22/2017 7:18:25 PM
Subject: Re: Governor Walker

Thank you.

Sent from my iPhone

On Aug 22, 2017, at 2:16 PM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

Administrator –

Attached and below is the briefing for this afternoon's call with Governor Walker along with a copy of the letter the Governor's office sent us in regard to the topic. The call will take place at 4:45pm your time.

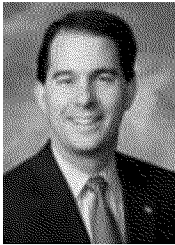
Call-in number Ex. 6 - Personal Privacy

Thanks,
Lincoln

TO: Administrator Pruitt
FROM: Mandy Gunasekara, Troy Lyons
RE: Call with Governor Scott Walker (R-WI)
DATE: August 22, 2017

Purpose: Governor Scott Walker (R-WI) requested a brief call with you to discuss the non-attainment status for Sheboygan County, Wisconsin. The Governor will also discuss the importance of working together with his state to achieve shared environmental goals.

BIOGRAPHY



Governor Scott Walker (R-WI) has served as the Governor of Wisconsin since 2011. He survived a recall attempt in 2012, and was elected to a second term in 2014. Walker was briefly a candidate for President of the United States in 2016, but was one of the first candidates to withdraw from the Republican primary. Walker intends to run for a third term as Governor in the 2018 elections.

BACKGROUND

Sheboygan County, Wisconsin is currently designated non-attainment under the 2008 ozone NAAQS. There are two monitors in the county—one along the lakeshore of Lake Michigan and one further inland. The designation is based on air monitoring data from a site located on the shoreline of Lake Michigan which reflects ozone transported from neighboring states and counties and is not reflective of local emissions. The state of Wisconsin has asked EPA to use its discretion under the CAA to avoid

NEXT STEPS

- Last Monday (August 14) EPA HQ and Region 5 spoke with Wisconsin's Air Director (Gail Good) regarding a partial redesignation of Sheboygan.
- The Director is developing a timeline for gathering and producing the materials needed to support a partial county redesignation. EPA will likely receive the information in a week or two.
- This redesignation is consistent with the state's request memorialized in a September, 2016 letter to EPA

Lincoln Ferguson

Senior Advisor to the Administrator

Office of Public Affairs

U.S. EPA

(202) 564-1935

<20170821153752450.pdf>

<Call with Governor Walker 8-22-17.docx>

Potential speaking spots:

10/26 – 1PM, 1:45PM, 2:45PM, 3:30PM

10/27 – 11AM (Preferred), 1:15PM, 2:15PM

Ask: 15-20 min remarks, 20-30 min Q&A

Topic: Vision for EPA's role in compliance, assistance and enforcement.

Potential Subtopics: "EPA Toolbox", Red Team/Blue Team, and budget priorities.

Attendees: 200 WH fellows who have served past 10 Presidents

****Confirmed to speak: Secretary Carson, Secretary Mnuchin**

POC: Geoff Shepard

Cell: Ex. 6 - Personal Privacy

www.geoffshepard.com

From: Hupp, Sydney
Location: EPA Studio
Importance: Normal
Subject: Tony Perkins Washington Watch a nationally syndicated radio program
Start Date/Time: Thur 3/30/2017 9:05:00 PM
End Date/Time: Thur 3/30/2017 9:20:00 PM

LENGTH: 12 Minutes

TOPIC: Executive Order on Climate Change

225 stations across the US.

Studio call-in number: **Ex. 6 - Personal Privacy**

To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Pruitt, Scott[Pruitt.Scott@epa.gov]
Cc: Michael Cox[toxman57@gmail.com]
From: Michael Cox
Sent: Sat 10/28/2017 3:05:57 AM
Subject: Re: September 26th LA Times Article

I have now been forwarded two more articles where you continue to talk about my "faux outrage" and my "six-figure pension".

Do you have no shame?

You are telling lies?

Please stop?

What happened to the EPA I worked for since 1987?

If you only understood how low the moral is with EPA staff, but I assume you do not care..

Your job is to protect the human health and the environment of American citizens, not protect the fossil fuel industry.

Please think about the health of your children and grandchildren and the environment you want them to inherit.

Happy to discuss.

Michael Cox

Ex. 6 - Personal Privacy

I am writing in response to your comments that were included in an article by Evan Halper on September 26 in the Los Angeles Times (*Civil servants charge Trump is sidelining workers with expertise on climate change, environment*). In the article you are quoted as saying:

We have a great working relationship with career EPA employees," agency spokesman Jahan Wilcox wrote in an email. "In their own words, Mr. Cox said he was planning his retirement before the new administration and Ms. Southerland said she was retiring due to a family issue. Despite the faux outrage, both employees will receive their six-figure taxpayer-funded pension and we wish them the best."

I would like to provide a response to several of the statements made above.

"We have a great working relationship with career EPA employees"

I am sure you believe this is the case. However, career EPA employees who I talk with in the Regional offices, HQs, and the Labs do not share this belief. What I hear are employees who are not consulted on issues; learn about decisions via the press; and are demoralized because of the push by Administrator Pruitt to cut the EPA budget and staff. Of course you will dispute this, but I can only relate what I hear from friends and colleagues with whom I worked for several decades.

Also, please correct me if I am wrong, but my understanding is that Administrator Pruitt, since becoming Administrator, has not visited the EPA Regions or Labs to meet career EPA employees. The exceptions are random visits to Superfund sites or to Texas after hurricane Harvey. Please ask Administrator Pruitt to honor his commitment to listen and learn from EPA staff that he made during his first address to EPA staff.

“Despite the faux outrage, both employees will receive their six-figure taxpayer-funded pension and we wish them the best”

You state that both Ms. Southerland and I retired, which is true. What I do not understand is what you mean by the phrase “Despite the faux outrage”. Faux of course meaning “fake” or fake outrage, which I assume means “untrue” or a more severe interpretation “lies”. This interpretation is consistent with the use of “fake news” by other Administration officials to indicate something they do not agree with.

It is true that the criticism and comments I have made about the direction of EPA are my opinions. However, they are based on over 25 years of working at EPA and, in the case of Ms. Southerland, over 40 years. I would not characterize my opinions as “faux outrage”. If the feedback and support from career EPA employees that I received after my retirement is any gauge, I think I nailed it.

In terms of the “six-figure taxpayer-funded pension”, I am very mindful that my pension is paid for by taxpayers. I am very thankful that we are lucky enough as Federal employees to have a pension when the majority of Americans are not so lucky. However, I take exception to the idea that I receive a six-figure pension (I guess if you count the numbers after the decimal point then yes I do have a seven-figure pension). In summary:

Total Gross Yearly Benefits including health benefits = \$48,991.68

Total Net Yearly Benefits (minus my share of health benefits and Federal Income Tax) = \$39,163.20.

I am certainly not complaining about the pension, but want you to understand that stating I have a six-figure pension is wrong and feeds into the false narrative of over-compensated Federal employees. If you would like to change the Federal employee pension system, I would suggest you lobby your Congressional representatives.

“...and we wish them the best”

I may be reading into the words, but this seems so disingenuous and insincere to wish Ms. Southerland and myself the best when you just called us liars and greedy.

Emails to EPA Beachhead Team Members

I am enclosing two emails I sent to Mr. Don Benton and Mr. Doug Erickson (members of the EPA Beach Head Team) when I worked at EPA. I provided them with some ideas on how Administrator Pruitt could work better with EPA staff. I think the comments are still relevant today.

Finally, I know there are bigger issues in the U.S. and the world than a few words in an article in the LA Times. However, I think the direction Administrator Pruitt is taking EPA is wrong, and in the end the people of the U.S. and the world will be the ones who are harmed. EPA is looked upon by the world as a shining example of how a country should do environmental protection and protect its citizens. I continue to believe the majority of American citizens support the EPA. It saddens me to see the organization that I, and many of my friends and colleagues, have worked so hard to make into a great organization now being sacrificed on the altar of ideology. I know you have a tough job in defending, in many cases, the indefensible. But please, instead of dismissing any criticism of EPA outright, ask yourself and others around you that maybe this Administration is going too far in trying to reshape EPA and jeopardizing the health of the American people and protection of our valuable environmental resources.

On Wed, Sep 27, 2017 at 12:34 PM, Michael Cox <toxman57@gmail.com> wrote:

I am writing in response to your comments that were included in an article by Evan Halper on September 26 in the Los Angeles Times (*Civil servants charge Trump is sidelining workers with expertise on climate change, environment*). In the article you are quoted as saying:

We have a great working relationship with career EPA employees,” agency spokesman Jahan Wilcox wrote in an email. “In their own words, Mr. Cox said he was planning his retirement before the new administration and Ms. Southerland said she was retiring due to a family issue. Despite the faux outrage, both employees will receive their six-figure taxpayer-funded pension and we wish them the best.”

I would like to provide a response to several of the statements made above.

“We have a great working relationship with career EPA employees”

I am sure you believe this is the case. However, career EPA employees who I talk with in the

Regional offices, HQs, and the Labs do not share this belief. What I hear are employees who are not consulted on issues; learn about decisions via the press; and are demoralized because of the push by Administrator Pruitt to cut the EPA budget and staff. Of course you will dispute this, but I can only relate what I hear from friends and colleagues with whom I worked for several decades.

Also, please correct me if I am wrong, but my understanding is that Administrator Pruitt, since becoming Administrator, has not visited the EPA Regions or Labs to meet career EPA employees. The exceptions are random visits to Superfund sites or to Texas after hurricane Harvey. Please ask Administrator Pruitt to honor his commitment to listen and learn from EPA staff that he made during his first address to EPA staff.

“Despite the faux outrage, both employees will receive their six-figure taxpayer-funded pension and we wish them the best”

You state that both Ms. Southerland and I retired, which is true. What I do not understand is what you mean by the phrase “Despite the faux outrage”. Faux of course meaning “fake” or fake outrage, which I assume means “untrue” or a more severe interpretation “lies”. This interpretation is consistent with the use of “fake news” by other Administration officials to indicate something they do not agree with.

It is true that the criticism and comments I have made about the direction of EPA are my opinions. However, they are based on over 25 years of working at EPA and, in the case of Ms. Southerland, over 40 years. I would not characterize my opinions as “faux outrage”. If the feedback and support from career EPA employees that I received after my retirement is any gauge, I think I nailed it.

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employees. If you would like to change the Federal employee pension system, I would suggest you lobby your Congressional representatives.

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I may be reading into the words, but this seems so disingenuous and insincere to wish Ms. Southerland and myself the best when you just called us liars and greedy.

Emails to EPA Beachhead Team Members

I am enclosing two emails I sent to Mr. Don Benton and Mr. Doug Erickson (members of the EPA Beach Head Team) when I worked at EPA. I provided them with some ideas on how Administrator Pruitt could work better with EPA staff. I think the comments are still relevant today.

Finally, I know there are bigger issues in the U.S. and the world than a few words in an article in the LA Times. However, I think the direction Administrator Pruitt is taking EPA is wrong, and in the end the people of the U.S. and the world will be the ones who are harmed. EPA is looked upon by the world as a shining example of how a country should do environmental protection and protect its citizens. I continue to believe the majority of American citizens support the EPA. It saddens me to see the organization that I, and many of my friends and colleagues, have worked so hard to make into a great organization now being sacrificed on the altar of ideology. I know you have a tough job in defending, in many cases, the indefensible. But please, instead of dismissing any criticism of EPA outright, ask yourself and others around you that maybe this Administration is going too far in trying to reshape EPA and jeopardizing the health of the American people and protection of our valuable environmental resources.

Michael Cox

To: Pruitt, Scott[Pruitt.Scott@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]; Konkus, John[konkus.john@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]
From: Sam Kazman
Sent: Tue 10/17/2017 11:34:04 AM
Subject: support from over 60 experts for reconsideration of the Endangerment Finding
[Scientists supporting reconsideration.pdf](#)

Dear Administrator Pruitt:

Attached please find a letter containing the signatures of over 60 climate and health experts, supporting the petitions for reconsideration of the Endangerment Finding that were filed with your office this past January and February.

To date we have received no response from EPA to these petitions. We urge that you consider and act on them.

Respectfully submitted,

Sam Kazman

General Counsel

Competitive Enterprise Institute

202-331-2265

sam.kazman@cei.org



October 17, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt:

On behalf of the Competitive Enterprise Institute (CEI) and the Science and Environmental Policy Project (SEPP), I am writing to transmit to you a letter signed by more than 60 climate and health experts in support of our February 2017 petition, and in support of a similar petition filed by the Concerned Household Electricity Consumers Council, asking the Environmental Protection Agency to reconsider the 2009 Endangerment Finding for greenhouse gases.

Since 2009, a number of the basic claims in that document have become increasingly questionable, and there are growing doubts about the computer models on which the finding was based. These seriously undercut the foundation for our government's climate policies.

The Endangerment Finding is the basis for a host of incredibly burdensome and wide-ranging regulations, ranging from auto fuel economy standards to the Clean Power Plan. These threaten access to affordable energy, as well as millions of jobs, and countless lives around the world. The finding has been used by other federal agencies to greatly expand their own regulatory programs, while other nations and international groups have relied on it to justify their own restrictions on affordable energy.

The Endangerment Finding needs to be reexamined to ensure U.S. energy policy is based on sound science. We would appreciate the opportunity to further discuss these petitions with you. Thank you for your consideration.

Sincerely,

Sam Kazman
General Counsel
Competitive Enterprise Institute

October 17, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt:

You have pending before you two science-based petitions for reconsideration of the 2009 Endangerment Finding for Greenhouse Gases, one filed by the Concerned Household Electricity Consumers Council, and one filed jointly by the Competitive Enterprise Institute and the Science and Environmental Policy Project.

We the undersigned are individuals who have technical skills and knowledge relevant to climate science and the GHG Endangerment Finding. We each are convinced that the 2009 GHG Endangerment Finding is fundamentally flawed and that an honest, unbiased reconsideration is in order.

If such a reconsideration is granted, each of us will assist in a new Endangerment Finding assessment that is carried out in a fashion that is legally consistent with the relevant statute and case law.

We see this as a very urgent matter, and therefore, request that you send your response to one of the signers who is also associated with a petitioner, SEPP.

Thank you,

Kenneth Haapala, President
Science and Environmental Policy Project
P.O. Box 1126
Springfield, VA 22151

Supporting the Petitions – Experts in Climate Science and Related Fields

Dr. Ralph B. Alexander
Former Associate Professor, Wayne State University, Detroit
Author: “Global Warming False Alarm”
Ph.D., Physics, University of Oxford
B.S., Physics, University of Western Australia
El Dorado Hills, California

William D. Balgord, Ph.D.
President, Environmental & Resources Technology, Inc.
Ph.D. Geochemistry, Pennsylvania State University
M.A., Geology, University of Missouri
B.S., Chemistry, Millsaps College

Dr. Tim Ball
Ph.D., Historical Climatology
M.A., University of Manitoba
B.A., University of Winnipeg
Victoria, Canada

James R. Barrante, Ph.D.
Emeritus Professor of Physical Chemistry
Southern Connecticut State University
Author: "Global Warming for Dim Wits"

Joe Bastardi
B.S., Meteorology, The Pennsylvania State University
Chief Long Range Forecaster, Accuweather
Advisor on climate and weather issues for media and industry
Co-founder and Chief Meteorologist, WeatherBELL Analytics, LLC

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Certified Consulting Meteorologist
Ph.D., Physics, University of Nevada
M.A., Physics, Dartmouth College
B.S., Engineering, California Institute of Technology
Bigfork, Montana

John Blethen (Retired)
Following climate science closely since the 1970s
Ph.D., Physics, Stanford University

David Boleneus

Consulting geologist, geophysicist, and wheat grower (current)

U.S. Geological Survey research geologist (retired)

M.S., Geology, Louisiana State University

Thesis: Calcium carbonate precipitation in tropical oceans

B.S., Geology, Eastern Washington University

Vice Admiral Edward S. Briggs

United States Navy (Retired)

David J. Bufalo, P.E.

Retired Licensed Professional Engineer, Missouri and Colorado

B.S., Civil Engineering, Missouri University of Science and Technology

Denver, Colorado

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Principle, Remote Sensing Exploration

Retired Senior Research Associate, Chevron Oil Field Research Company

Ph.D., Geology, Harvard

M.S., Geology, Stanford University

B.S., Geology, Franklin & Marshall College

Fullerton, California

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Author: "Environmentalism Gone Mad," Stairway Press, 2015

Ph.D., Economics, Massachusetts Institute of Technology, Cambridge, Massachusetts

B.S., Physics, California Institute of Technology, Pasadena, California

John Coleman

Retired, Former Professional Member of the American Meteorological Society

Broadcast Meteorologist of the Year in 1982, Founder of The Weather Channel

Meteorologist on television for 61 years including Good Morning America

B.S., Journalism, University of Illinois

Las Vegas, Nevada

William F. Condon, Ph.D.

Professor Emeritus and Past Chair of Chemistry

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Certified Consulting Meteorologist, AMS Fellow

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ABD, Air Resources, New York University

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B.S., Physics, University of Louisiana - Lafayette
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Terry W. Donze
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Author: "Climate Realism: Alarmism Exposed," Xulon Press
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Ph.D., Physics, Princeton University, 1964
B.S., Physics, University of North Carolina, Chapel Hill, 1960

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M.S., Physics, University of Denver
B.S., Physics, University of Denver
Pueblo West, Colorado

Admiral Thomas B. Hayward
Chief of Naval Operations
United States Navy (Retired)

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Consulting Meteorologist, Sacramento, California
Provided meteorological advice, data analyses, wind farm planning and WindPro modelling to
National Power which had over 2,000 MW of projects in Australia and Hawaii
M.S., Atmospheric Science, Oregon State University
B.S., Meteorology, University of Utah
B.S., Mathematics, Marquette University

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Ph.D., Geography/Climatology, University of Colorado

William W. Little, Ph.D.
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D Phil MA Oxford, fellow of three Oxford colleges
SMP Harvard Business School Melbourne
Victoria, Australia

Dr. Arthur G. Randol III
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M.S.E., Nuclear Engineering Sciences, University of Florida
B.S., Mechanical Engineering-Nuclear Option, University of Notre Dame

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S/C Environmental Systems Engineer, NASA, Retired, TRCS Member
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B.S., Physics, Massachusetts Institute of Technology

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Ph.D., University of Southern California, Aerospace Engineering, "Nonequilibrium kinetics in high-temperature gases"

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Petaluma, California

Supporting the Petitions – Experts in Energy or Public Health and Welfare, and Related Fields

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Doctor of Medicine, WVU School of Medicine
Board Certified, Internal Medicine
Board Certified, Pulmonary Diseases
Martinsburg, West Virginia

E. Calvin Beisner, Ph.D., Founder and National Spokesman
The Cornwall Alliance for the Stewardship of Creation
Author of numerous books regarding Climate Policy and the Poor
Expert witness on the ethics and economics of climate and energy policy, U.S. Senate
Environment & Public Works Committee, 2006, and Energy & Environment Subcommittee,
U.S. House of Representatives Committee on Energy & Commerce, 2009
Ph.D., History, University of St. Andrews, 2003
M.A., Economic Ethics, International College, 1983
B.A., Religion and Philosophy, University of Southern California, 1978

Dr. Roger H. Bezdek
President, MISI, Washington, D.C.
Founding Member, Cavendish Energy LLC, Fort Worth, Texas. Previously served as Senior Advisor in the Office of the Secretary of the U.S. Treasury
Research Director at the U.S. Department of Energy
Author of four books and over 100 published papers on the economics of climate change and related issues
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Donn Dears
Retired, General Electric Company senior executive, expert on energy issues
Author: "Clexit," "Nothing to Fear," and "Carbon Folly"
Graduate, GE's three-year Manufacturing Management Program
Multiple general manager assignments including, GM of Engineering Department providing technical support to worldwide network of GE facilities
USN Veteran Korean War
B.S. (with honors), United States Merchant Marine Academy
The Villages, Florida

John Dale Dunn, M.D., J.D.
Lecturer, retired Clinical Instructor, Department of Emergency Medicine, Carl R Darnall Army Medical Center
Clinical Instructor Uniform Services University of the Health Sciences, Bethesda, Maryland
Policy advisor, American Council on Science and Health of New York City and Heartland Institute of Chicago
Member, Louisiana and Texas Bar; Medical Officer, Sheriff, Brown County, Texas

James E. Enstrom
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M.S., Ph.D., Physics, Stanford University
B.S., Physics, Harvey Mudd College

Thomas D. Hennigan
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M.P.S., Environmental Science and Forest Biology, SUNY, Syracuse, New York
B.S., Natural Resources Management, University of Alaska, Fairbanks, Alaska

Paul D. Hoffman
Publicist, Hope Springs Media
Former Deputy Assistant Secretary of the Interior for Fish and Wildlife and Parks
Led the US Delegation to the World Heritage Committee, 2002-06
B.A., Economics/Biology, University of California at San Diego, Revelle College

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Co-Editor, Nongovernmental International Panel on Climate Change (NIPCC)
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M.S., Agronomy, University of Nebraska, Lincoln, Nebraska
B.S., Geography, Arizona State University, Tempe, Arizona

Steve Milloy
Publisher, JunkScience.com
LLM, Securities Regulation, Georgetown University Law Center
J.D., University of Baltimore School of Law
MHS, Biostatistics, Johns Hopkins University School of Public Health
B.A., Natural Sciences, Johns Hopkins University

Franklin E. (Ed) Payne, M.D.
Associate Professor of Family Medicine (retired)
Medical College of Georgia, Augusta University
Augusta, Georgia

Cornelis J.F. Smit,
Founder and CEO (now retired), Environmental Health Services (Aust) Pty. Ltd
Co-founder and Director, The Galileo Movement
B.Sc., University of Melbourne,
Certified Industrial Hygienist (AIHA)
Noosaville, Qld., Australia

H. Leighton Steward
Geologist, environmentalist, author, and retired energy industry executive
Regional EPA Administrator's Award for environmental excellence
Chairman of the Board of The Institute for the Study of Earth and Man at SMU
Past Chairman of the National Wetlands Coalition
Twice Chairman of the Audubon Nature Institute
Serves on the boards of the M.D. Anderson Cancer Center, EOG Resources, The Buffalo Bill
Historical Center, and the Southwest Research Institute

Dr. S. Stanley Young
Worked in the pharmaceutical industry on all phases of pre-clinical research
Member of the American Council on Science and Health Board of Scientific Advisors
Authored or co-authored over 50 papers, including six “best paper” awards
Fellow of the American Statistical Association, American Association for the Advancement of
Science
Adjunct professor of statistics at North Carolina State University, the University of Waterloo and
the University of British Columbia where he co-directs thesis work
B.S., MES, Ph.D., North Carolina State University

To: sooners7, adm[sooners7@epa.gov]
From: Ferguson, Lincoln
Sent: Tue 8/15/2017 2:06:33 PM
Subject: Briefing
170808_CAFE (3-BB).docx

Good morning –

Attached is a briefing on CAFE put together by Brittany Bolen.

Thanks,
Lincoln

Lincoln Ferguson

Senior Advisor to the Administrator

Office of Public Affairs

U.S. EPA

(202) 564-1935

To: Jackson, Ryan[jackson.ryan@epa.gov]; sooners7, adm[sooners7@epa.gov]
From: Bowman, Liz
Sent: Tue 6/13/2017 6:56:59 PM
Subject: FW: WSJ Editorial on Trump Administration “Cleaning Up The Superfund Mess”

The White House pushed out the WSJ op-ed to their press lists.

From: White House Press Office [mailto:whitehouse-noreply@messages.whitehouse.gov]
Sent: Tuesday, June 13, 2017 2:22 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: WSJ Editorial on Trump Administration “Cleaning Up The Superfund Mess”

THE WHITE HOUSE

Office of the Press Secretary

FOR IMMEDIATE RELEASE

June 13, 2017

**WALL STREET JOURNAL EDITORIAL BOARD PRAISES TRUMP
ADMINISTRATION EPA FOR “CLEANING UP THE SUPERFUND MESS”**

“Superfund ought to be measured by how many sites it cleans up—until it is no longer necessary. The green lobby puts symbolic gestures against climate change above all other priorities, but if Mr. Pruitt can accelerate Superfund cleanup he’ll do far more for the environment.”

Cleaning Up the Superfund Mess

Editorial

Wall Street Journal

June 13, 2017

One cost of making climate change a religion is that more immediate environmental problems have been ignored—not least by the Environmental Protection Agency. New EPA Administrator Scott Pruitt plans to address that in an underreported effort to clean up toxic waste sites under the so-called Superfund program.

In a memo to EPA staff last month, Mr. Pruitt announced a plan to reform the Superfund program created in 1980 and to accelerate the clean up of hazardous waste sites such as old industrial properties or landfills. The effort is long overdue. Superfund has too often become a sinecure for the bureaucracy and a cash cow for lawyers. EPA staff offices can wait years or decades to assess a Superfund site, figure out who's liable for what, consult with the community, decide on a remedy and assign the actual work.

Take the West Lake Landfill Superfund site in Bridgeton, Missouri, which was used for quarrying in the 1930s and later as a landfill. In 1973, 8,700 tons of leached barium sulfate from the Manhattan Project was dumped there, along with soil and waste. The EPA listed the 200-acre facility as a Superfund site in 1990.

Yet it took 18 years for EPA to decide how to clean up West Lake, finally settling in 2008 on a “multi-layered engineered cover and a system of new monitoring wells.” In 2009 the Obama EPA ditched that solution and re-opened the file. In 2010 an underground chemical reaction ignited a fire that is still smoldering.

...

In 2009 the Obama Administration pumped \$600 million into the program as part of the stimulus plan. Yet the EPA's data on “construction completions,” which track Superfund sites that have finished physical construction and dealt with long-term threats, shows a downward trend even as the money flowed in. There were 18 completions in 2010, down from 20 in 2009, and 47 in 2001. In 2016 only 13 sites were completed.

The real obstacle is a combination of bureaucratic inertia and legal or political disputes over who pays what. Washington typically measures success by money spent rather than on results. Yet Superfund ought to be measured by how many sites it cleans up—until it is no longer necessary. The green lobby puts symbolic gestures against climate change above all other priorities, but if Mr. Pruitt can accelerate Superfund cleanup he'll do far more for the environment.

[Read the full editorial here.](#)

###

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The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202-456-1111

To: sooners7, adm[sooners7@epa.gov]
From: Bowman, Liz
Sent: Tue 6/13/2017 1:08:00 AM
Subject: WSJ
[image1.PNG](#)
[ATT00001.txt](#)

CLEANING UP THE SUPERFUND MESS
Obama Put Climate Gestures Above Toxic Waste Remedies

Opinion | Review & Outlook

Obama put climate gestures above toxic waste remedies.

One cost of making climate change a religion is that more immediate environmental problems have been ignored—not least by the Environmental Protection Agency. New EPA Administrator Scott Pruitt plans to address that in an underreported effort to clean up toxic waste sites under the so-called Superfund program.

In a memo to EPA staff last month, Mr. Pruitt announced a plan to reform the Superfund program created in 1980 and to accelerate the clean up of hazardous waste sites such as old industrial properties or landfills. The effort is long overdue. Superfund has too often become a sinecure for the bureaucracy and a cash cow for lawyers. EPA staff offices can wait years or decades to assess a Superfund site, figure out who's liable for what, consult with the community, decide on a remedy and assign the actual work.

Take the West Lake Landfill Superfund site in Bridgeton, Missouri, which was used for quarrying in the 1930s and later as a landfill. In 1973, 8,700 tons of leached barium sulfate from the Manhattan Project was dumped there, along with soil and waste. The EPA listed the 200-acre facility as a Superfund site in 1990.

Yet it took 18 years for EPA to decide how to clean up West Lake, finally settling in 2008 on a "multi-layered engineered cover and a system of new monitoring wells." In 2009 the Obama EPA ditched that solution and re-opened the file. In 2010 an underground chemical reaction ignited a fire that is still smoldering.

Another example is the Bunker Hill Mining and Metallurgical Complex in Idaho and Washington state that polluted the air and soil with heavy metals such as lead. The EPA put Bunker Hill on its original list of 406 Superfund sites in 1983, but it too remains an open case.

Or Portland Harbor, in Oregon, which was listed in 2000. The private companies EPA found responsible spent years and tens of millions of dollars on a clean-up study that the agency eventually discarded. Obama EPA chief Gina McCarthy didn't choose a remedy for the site until this January, days before President Trump's inauguration, using information that was more than a decade old.

These are examples of the 1,336 Superfund sites on the EPA's National Priorities List. Mr. Pruitt has directed a new task force, chaired by senior adviser Albert Kelly, to review Superfund management and business practices. He has also taken power from EPA regional offices to make decisions about projects estimated to cost \$50 million or more, which should speed decision-making.

The response from critics, especially from the previous Administration, is that the problem is lack of federal funding. They're upset that President Trump's budget proposes a 30% cut in Superfund for next fiscal year, \$330 million less than this year.

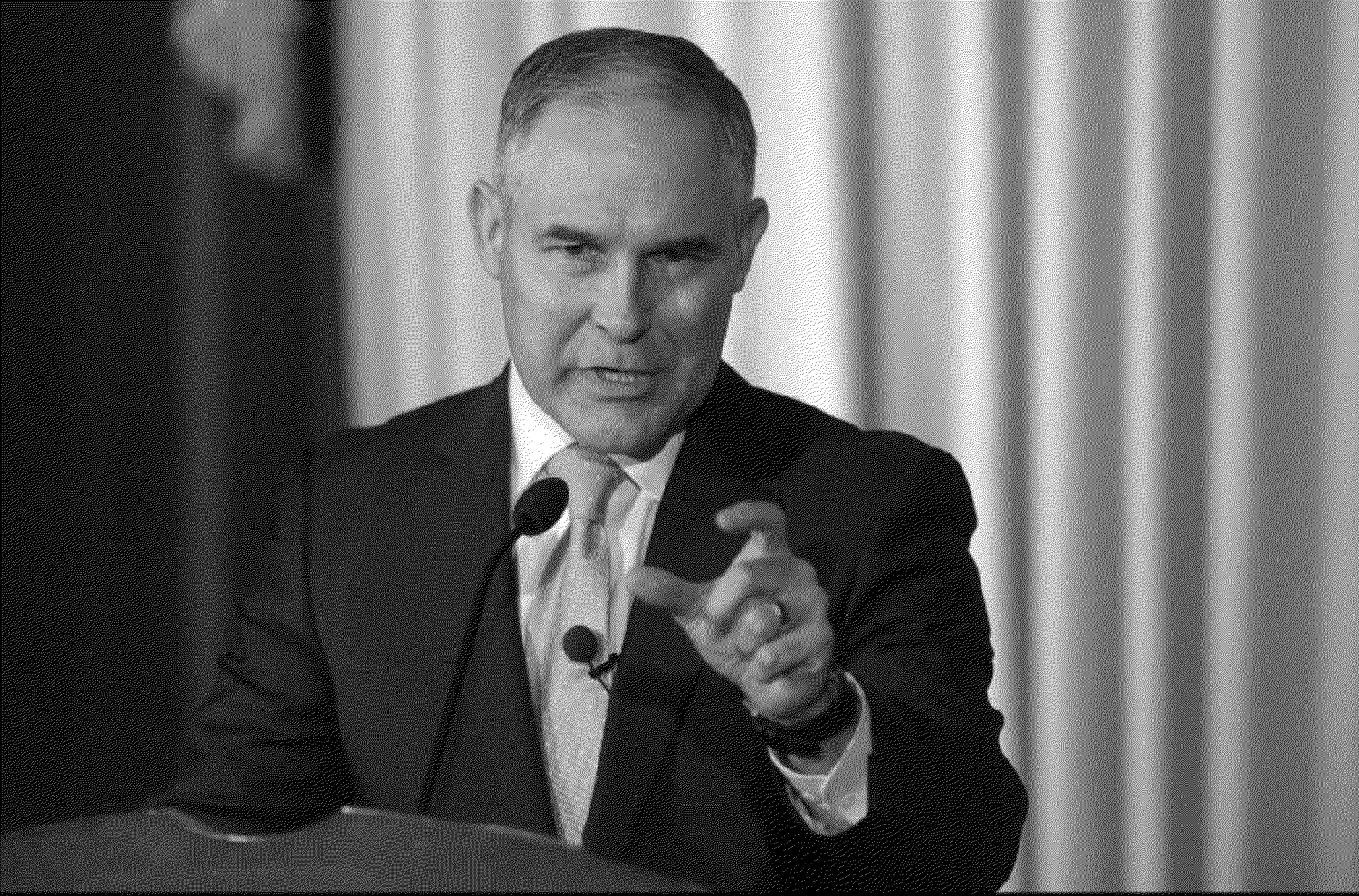
But Superfund delays aren't the result of insufficient funds, especially since private parties now shoulder most clean-up costs, as envisaged in the original legislation. At the end of fiscal 2016 the Superfund's special accounts, which hold settlement money for specific projects, totalled \$3.3 billion. EPA projects it will spend \$1.3 billion of that over the next five years. That's on top of Superfund's 2018 budget request for \$762 million.

In 2009 the Obama Administration pumped \$600 million into the program as part of the stimulus plan. Yet the EPA's data on "construction completions," which track Superfund sites that have finished physical construction and dealt with long-term threats, shows a downward trend even as the money flowed in. There were 18 completions in 2010, down from 20 in 2009, and 47 in 2001. In 2016 only 13 sites were completed.

The real obstacle is a combination of bureaucratic inertia and legal or political disputes over who pays what. Washington typically measures success by money spent rather than on results. Yet Superfund

ought to be measured by how many sites it cleans upâ€”until it is no longer necessary. The green lobby puts symbolic gestures against climate change above all other priorities, but if Mr. Pruitt can accelerate Superfund cleanup heâ€™™ll do far more for the environment.

Sent from my iPhone



To: sooners7, adm[sooners7@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]
From: Ferguson, Lincoln
Sent: Mon 6/12/2017 10:59:42 AM
Subject: Re: G7 Press Release

FINAL VERSION - 1:00pm

HEADING: United States Resets Climate Change Discussion at G7

SUBHEADING: U.S. formally joins communique, reaching consensus on important environmental issues

Bologna, Italy – U.S. EPA Administrator Scott Pruitt announced Monday the United States stands firm on its decision to withdraw from the Paris Agreement and has reset the conversation about climate change reflective of the new priorities of the Trump Administration and expectations of the American people.

"Respective of the importance to engage with longstanding allies and key international partners, we approached the climate discussions head on from a position of strength and clarity. We are resetting the dialogue to say Paris is not the only way forward to making progress," Administrator Pruitt said.

"Today's action of reaching consensus makes clear the Paris Agreement is not the only mechanism by which environmental stewardship can be demonstrated. It also demonstrates our commitment to honest conversations, which are the

cornerstone of constructive international dialogue."

While a party to the communique, the United States did not join the climate change sections, explicitly stating:

"We the United States of America continue to demonstrate through action, having reduced our CO2 footprint as demonstrated by achieving pre-1994 CO2 levels domestically. The United States will continue to engage with key international partners in a manner that is consistent with our domestic priorities, preserving both a strong economy and a healthy environment. Accordingly, we the United States do not join those sections of the communique on climate and MDBs, reflecting our recent announcement to withdraw and immediately cease implementation of the Paris Agreement and associated financial commitment."

The United States and its G7 counterparts found common ground engaging in robust and constructive dialogue regarding other, equally important environmental issues. The United States joined consensus throughout the communique including the sections discussing resource efficiency, marine litter, and environmental policies and jobs.

"The United States will continue to show leadership by offering action-oriented solutions to the world's environmental challenges. We have indicated a willingness to engage on an international stage that stands to greatly benefit from American ingenuity, innovation, and advanced technologies. We have already demonstrated significant progress towards mitigating environmental problems and we will continue to

develop these for the benefit of all nations," Pruitt said.

Sent from my iPad

On Jun 12, 2017, at 12:47 PM, sooners7, adm <sooners7@epa.gov> wrote:

I like the 12:26 version best. Elegantly simple and forthright.

Sent from my iPhone

On Jun 12, 2017, at 6:38 AM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

UPDATED 12:38 version -

Ex. 5 - Deliberative Process

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On Jun 12, 2017, at 11:57 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

I like it.

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Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 - Personal Privacy

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<ferguson.lincoln@epa.gov> wrote:

Ex. 5 - Deliberative Process

To: Jackson, Ryan[jackson.ryan@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; sooners7, adm[sooners7@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]
From: Gunasekara, Mandy
Sent: Mon 6/12/2017 9:52:15 AM
Subject: Re: G7 Press Release

Lincoln just sent out latest version. I'll call you.

Sent from my iPhone

On Jun 12, 2017, at 11:51 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Additionally, Lincoln will you put these changes into a new release and send it around for review?

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 - Personal Privacy

On Jun 12, 2017, at 5:31 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

What if we say this?

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 - Personal Privacy

On Jun 12, 2017, at 4:22 AM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

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Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

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To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
Cc: sooners7, adm[sooners7@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov];
Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]
From: Jackson, Ryan
Sent: Mon 6/12/2017 9:51:34 AM
Subject: Re: G7 Press Release

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Ryan Jackson
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U.S. EPA

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From: Ferguson, Lincoln
Sent: Mon 6/12/2017 9:49:26 AM
Subject: Re: G7 Press Release

UPDATED:

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Sent from my iPad

To: sooners7, adm[sooners7@epa.gov]
From: Ferguson, Lincoln
Sent: Sun 6/11/2017 10:09:42 PM
Subject: Fwd: Italian minister: G-7 'distant' on climate change

Sent from my iPad

Begin forwarded message:

From: "POLITICO Pro Energy Whiteboard" <politicoemail@politicopro.com>
Date: June 11, 2017 at 11:14:26 AM EDT
To: <ferguson.lincoln@epa.gov>
Subject: Italian minister: G-7 'distant' on climate change
Reply-To: "POLITICO subscriptions" <reply-fe9012777565057472-980906_HTML-793186966-1376319-0@politicoemail.com>

By Sara Stefanini

06/11/2017 11:06 AM EDT

BOLOGNA, Italy — G-7 ministers are in "complete agreement" on all the environmental issues they're discussing today and Monday — except for climate change, Italian Environment Minister Gian Luca Galletti told reporters today.

The two-day G-7 environment ministers gathering comes 10 days after President Donald Trump confirmed that he would withdraw the U.S. from the Paris climate agreement.

But even before his announcement, American resistance to tackling climate change emerged as a sticking point at the G-7 leaders' summit last month and the G-7 energy meeting in April, where the ministers failed to agree on a communiqué.

"The positions, especially on Paris, are distant positions," said Galletti, host of the environment meeting.

"Here in Bologna we're doing very important work, we're mending. We'll only know at the end what result it will have, but we have already obtained a result because we continue to talk, to identify solutions and common objectives," he added. U.S. Environmental Protection Agency Administrator Scott Pruitt is in Bologna representing the U.S. but is leaving this afternoon.

Galletti said his early departure was always planned because of a meeting with Trump.

"The administrator has had bilateral meetings with a number of our G-7 partners discussing the importance of engagement and environmental issues including conservation, food

waste, climate, marine litter and resource efficiency," Lincoln Ferguson, Pruitt's spokesman, told POLITICO by email.

Patricia Espinosa, head of the United Nations' climate change secretariat, told reporters that Pruitt said the U.S. wants to continue to make efforts to combat climate change and engage with the secretariat.

This article first appeared on POLITICO.EU on June 11, 2017.

To view online:

<https://www.politicopro.com/energy/whiteboard/2017/06/italian-minister-g-7-distant-on-climate-change-088899>

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Yes, very	Somewhat	Neutral	Not really	Not at all

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Arlington, VA, 22209, USA

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Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]
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U.S. EPA

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<ferguson.lincoln@epa.gov> wrote:

Ex. 5 - Deliberative Process

To: Pruitt, Scott[Pruitt.Scott@epa.gov]; Chmielewski, Kevin[chmielewski.kevin@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; 'hupp.milan@epa.gov'[hupp.milan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]
Cc: Ellison, Mardiko[Ellison.Mardiko@epa.gov]
From: Keys, Carol L
Sent: Tue 11/14/2017 7:37:49 PM
Subject: HT401/HTSOS

Hello—

You were registered for the Foreign Service Institute's HT401 course this morning but I understand that there's a possibility that some of you may not have received the confirmation email with a username and password for the FSI LearnCenter. If you didn't receive that email, please let me know. I'll reset your password and resend the welcome email to you directly.

Best,

Carol Keys

Management and Program Analyst. Office of the Registrar.

Foreign Service Institute. U.S. Department of State

(ph) 703.302.3135 (fax) 703.302.7152

To review your training history, online training requests, or request an official transcript, visit the FSI Student Records website at <http://sr.fsi.state.sbu/>

Please take our Customer Feedback Survey to let us know how we are doing.

This email is unclassified based on definitions provided in E.O. 13526.

Official - Transitory

UNCLASSIFIED

To: Hale, Michelle[hale.michelle@epa.gov]
From: Konkus, John
Sent: Wed 3/1/2017 4:41:38 PM
Subject: FW: Rep. McKinley - Admin. Pruitt Meeting

Meeting request...

From: Deeley, Blake [mailto:Blake.Deeley@mail.house.gov]
Sent: Wednesday, March 1, 2017 9:43 AM
To: Konkus, John <konkus.john@epa.gov>
Cc: John Konkus <john.a.konkus@ptt.gov>
Subject: Rep. McKinley - Admin. Pruitt Meeting

Hey John!

Hope this message finds you well and you are settling in at EPA.

I'm reaching out to see if you could put me in-touch with the right person to schedule a meeting with Administrator Pruitt and Congressman McKinley. As you know, the Congressman is Chairman of the Congressional Coal Caucus and would like to sit down with Admin. Pruitt to discuss ways that both he and the Caucus can be helpful to him.

Any assistance you can provide would be greatly appreciated. Thanks!

-Blake

Blake Deeley | *Policy Advisor*

Congressman David B. McKinley (WV-1)
2239 Rayburn House Office Building

Washington, DC 20515

Direct: (202) 226-8790

Office: (202) 225-4172

To: Cleland-Hamnett, Wendy[Cleland-Hamnett.Wendy@epa.gov]; Bloom, David[Bloom.David@epa.gov]
Cc: Pruitt, Scott[Pruitt.Scott@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Darwin, Henry[darwin.henry@epa.gov]; Chmielewski, Kevin[chmielewski.kevin@epa.gov]; Trent, Bobbie[Trent.Bobbie@epa.gov]; Deane, Benita[Deane.Benita@epa.gov]; Anthony, Sherri[Anthony.Sherri@epa.gov]; Howard, MarkT[Howard.MarkT@epa.gov]; Minoli, Kevin[Minoli.Kevin@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Valentine, Julia[Valentine.Julia@epa.gov]; Keigwin, Richard[Keigwin.Richard@epa.gov]; Layne, Arnold[Layne.Arnold@epa.gov]; Schaible, Stephen[Schaible.Stephen@epa.gov]; McNally, Robert[McNally.Robert@epa.gov]; Guilaran, Yu-Ting[Guilaran.Yu-Ting@epa.gov]; Goodis, Michael[Goodis.Michael@epa.gov]; Knizner, Steve[Knizner.Steve@epa.gov]; Barber, Delores[barber.delores@epa.gov]; Conklin, Jeanne[Conklin.Jeanne@epa.gov]; Jones-Peeler, Meshell[Jones-Peeler.Meshell@epa.gov]; O'Connor, John[OConnor.John@epa.gov]; Gray, Richard[Gray.Richard@epa.gov]; Threet, Derek[Threet.Derek@epa.gov]; Weiner, Janet[Weiner.Janet@epa.gov]; Brooks, Sonya[Brooks.Sonya@epa.gov]
From: OIG News
Sent: Mon 8/14/2017 1:40:59 PM
Subject: OIG Report: "Fiscal Years 2016 and 2015 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund"
[_epaoig_20170814-17-F-0364_cert.pdf](#)

Attached is the EPA Office of Inspector General (OIG) report, *Fiscal Years 2016 and 2015 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund* (Report No. 17-F-0364). This report will be available to the public on the OIG's website at www.epa.gov/oig.



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL



Financial Management

Fiscal Years 2016 and 2015 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund

Report No. 17-F-0364

August 14, 2017



Report Contributors:

Paul Curtis
Cynthia Poteat
Bob Smith
Safiya Chambers
Robert Hairston
Tanishia Heilig
Sheree James
Ethel Lowery
Sheila May
Claire McWilliams
Guillermo Mejia
Demetrios Papakonstantinou
Bill Samuel
Lynda Taylor
Amir Eskarous

Abbreviations

EPA	U.S. Environmental Protection Agency
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FMFIA	Federal Managers' Financial Integrity Act
FY	Fiscal Year
OIG	Office of Inspector General
OMB	Office of Management and Budget

Cover photo: Pesticides being applied. (EPA photo)

Are you aware of fraud, waste or abuse in an EPA program?

EPA Inspector General Hotline

1200 Pennsylvania Avenue, NW (2431T)
Washington, DC 20460
(888) 546-8740
(202) 566-2599 (fax)
OIG_Hotline@epa.gov

Learn more about our [OIG Hotline](#).

EPA Office of Inspector General

1200 Pennsylvania Avenue, NW (2410T)
Washington, DC 20460
(202) 566-2391
www.epa.gov/oig

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At a Glance

Why We Did This Review

The Food Quality Protection Act requires that we perform an annual audit of the financial statements for the Pesticides Reregistration and Expedited Processing Fund, known as the FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) Fund.

The U.S. Environmental Protection Agency (EPA) is responsible for reassessing the safety of older pesticide registrations against modern health and environmental testing standards. To expedite this reregistration process, Congress authorized the EPA to collect fees from pesticide manufacturers. The fees are deposited into the FIFRA Fund. Each year, the agency prepares financial statements that present financial information about the fund, along with information about the EPA's progress in reregistering pesticides.

This report addresses the following EPA goal or cross-agency strategy:

- *Embracing EPA as a high-performing organization.*

Send all inquiries to our public affairs office at (202) 566-2391 or visit www.epa.gov/oig.

Listing of [OIG reports](#).

Fiscal Years 2016 and 2015 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund

Disclaimer of Opinion

We rendered a disclaimer of opinion on the FIFRA Fund financial statements for fiscal years (FY) 2016 and 2015, meaning that we were unable to obtain sufficient evidence to determine if they were fairly presented and free of material misstatement.

Due to the material weakness in internal controls noted, the agency cannot provide reasonable assurance that financial data provided for the FIFRA Fund accurately reflect the agency's financial activities and balances.

Internal Control Material Weakness Noted

We noted a material weakness in that the EPA cannot adequately support its FY 2016 FIFRA Fund costs. The EPA's Office of Pesticide Programs receives its funding from both fees paid by pesticide manufacturers and amounts appropriated by Congress. In FY 2016, the EPA allocated its pesticide funding to use appropriated amounts, which would expire, and retained funding received from fees. Therefore, significant payroll amounts paid from appropriations were not charged directly to the FIFRA Fund or other pesticide programs. This resulted in the loss of the audit trail for reporting separate costs and liabilities for the FIFRA Fund and other pesticide programs. Because this issue was noted in prior audit reports and the agency is taking corrective actions, we make no new recommendations for this material weakness.

Compliance With Applicable Laws and Regulations

We did not identify any noncompliances that would result in a material misstatement to the audited financial statements.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
INSPECTOR GENERAL

August 14, 2017

MEMORANDUM

SUBJECT: Fiscal Years 2016 and 2015 Financial Statements for the
Pesticides Reregistration and Expedited Processing Fund
Report No. 17-F-0364

FROM: Paul C. Curtis, Director
Financial Statement Audits

A handwritten signature in black ink, appearing to read "Paul C. Curtis", is placed to the right of the "FROM:" line.

TO: Wendy Cleland-Hamnett, Acting Assistant Administrator
Office of Chemical Safety and Pollution Prevention

David Bloom, Acting Chief Financial Officer

This is our report on the audit of the U.S. Environmental Protection Agency's (EPA's) fiscal years 2016 and 2015 financial statements for the Pesticides Reregistration and Expedited Processing Fund, conducted by the EPA Office of Inspector General (OIG). The project number for this audit was OA-FY17-0086.

This report contains no recommendations, and you are not required to respond to this report. However, if you submit a response, it will be posted on the OIG's public website, along with our memorandum commenting on your response. Your response should be provided as an Adobe PDF file that complies with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended. The final response should not contain data that you do not want to be released to the public; if your response contains such data, you should identify the data for redaction or removal along with corresponding justification.

We will post this report to our website at www.epa.gov/oig.

Table of Contents

Inspector General's Report on the Fiscal Years 2016 and 2015 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund

Report on the Financial Statements	1
Report on Internal Control Over Financial Reporting	2
Tests of Compliance With Laws, Regulations, Contracts and Grant Agreements	4
Management's Discussion and Analysis Section of the Financial Statements	4
Prior Audit Coverage	4
Agency Comments	5

Attachment

Material Weakness	6
1 - EPA Cannot Adequately Support FIFRA Fund Costs	7

Appendices

- A Fiscal Years 2016 and 2015 Pesticides Reregistration and
Expedited Processing Fund Financial Statements**
- B Distribution**

Inspector General's Report on the Fiscal Years 2016 and 2015 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund

The Administrator
U.S. Environmental Protection Agency

Report on the Financial Statements

We have audited the accompanying financial statements of the Pesticides Reregistration and Expedited Processing Fund, known as the FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) Fund, which comprise the balance sheet as of September 30, 2016, and September 30, 2015, and the related statements of net cost, changes in net position, and statement of budgetary resources for the years then ended; and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America. This includes the design, implementation and maintenance of internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on conducting the audit in accordance with generally accepted government auditing standards; the standards applicable to financial statements contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin 15-02, *Audit Requirements for Federal Financial Statements*. Because of the matter described in the Basis for Disclaimer of Opinion section, however, we were not able to obtain sufficient, appropriate audit evidence to provide a basis for an audit opinion.

Basis for Disclaimer of Opinion

The U.S. Environmental Protection Agency (EPA) cannot adequately support payroll liabilities on the FIFRA Fund's Balance Sheet as of September 30, 2016 and 2015; and Income/Expense from other appropriations on the statements of the

FIFRA Fund's Net Costs and Changes in Net Position for the years ended September 30, 2016 and 2015.

In fiscal years (FYs) 2016 and 2015, the EPA allocated its pesticides appropriated funding to pay for payroll costs. By paying significant payroll amounts from appropriations versus from fees collected by the FIFRA Fund, the EPA lost the audit trail to properly support how much of the FIFRA payroll expenses were paid for by appropriations. We were unable to satisfy ourselves by other audit procedures concerning the adequacy of the amounts allocated, consistency of application, or reasonableness of the payroll expenses between the FIFRA Fund and the EPA's other pesticide programs, including payroll accruals, as of and for the years ended September 30, 2016 and 2015. As a result, we were unable to determine whether any adjustments were necessary relating to payroll and related accounts, income/expense from other appropriations, and payroll liabilities.

Disclaimer of Opinion

Because of the significance of the matter described in the Basis for Disclaimer of Opinion section above, we have not been able to obtain sufficient, appropriate audit evidence to provide a basis for an audit opinion. Accordingly, we do not express an opinion on the FIFRA Fund's financial statements, and the related accompanying notes as of and for the years ended September 30, 2016 and 2015.

Report on Internal Control Over Financial Reporting

Opinion on Internal Controls. In planning and performing our audit, we considered the EPA's internal controls over financial reporting by obtaining an understanding of the agency's internal controls, determining whether internal controls had been placed in operation, assessing control risk, and performing tests of controls. We did this as a basis for designing our auditing procedures for the purpose of expressing an opinion on the financial statements and to comply with OMB audit guidance, not to express an opinion on internal control. Accordingly, we do not express an opinion on internal control over financial reporting nor on management's assertion on internal controls included in Management's Discussion and Analysis. We limited our internal control testing to those controls necessary to achieve the objectives described in OMB Bulletin No. 15-02. We did not test all internal controls relevant to operating objectives as broadly defined by the Federal Managers' Financial Integrity Act of 1982 (FMFIA).

Material Weakness and Significant Deficiencies. Our consideration of the internal controls over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be significant deficiencies. A deficiency in internal controls exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a

combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Because of inherent limitations in internal controls, misstatements, losses or noncompliance may nevertheless occur and not be detected. We noted a certain matter, discussed below and detailed in Attachment 1 and Prior Audit Coverage, involving internal control and its operation that we consider to be material.

Material Weakness

The EPA cannot adequately support its FY 2016 FIFRA Fund costs. OMB policy states that basic financial statements include a Balance Sheet and Statement of Net Costs, and that the statement of net costs should include the net costs of operations. The EPA's Office of Pesticide Programs receives its funding both from fees paid by pesticide manufacturers and from amounts appropriated by Congress. In FY 2016, the EPA allocated its pesticide funding to use appropriated amounts, which would expire, and retained funding received from fees. Therefore, significant payroll amounts paid from appropriations were not charged directly to the FIFRA Fund or other pesticide programs. This resulted in the loss of the audit trail for reporting separate costs and liabilities for the FIFRA Fund and other pesticide programs. The EPA developed an allocation methodology to distribute costs funded by EPA appropriations back to the FIFRA Fund, but the methodology is based upon inconsistent charging of payroll costs between the FIFRA Fund and EPA appropriations.

Because the EPA cannot adequately support total FY 2016 FIFRA Fund costs and liabilities, and because we were unable to determine by other audit procedures the adequacy of amounts allocated, consistency of application, or reasonableness of net costs and liabilities, we disclaimed an opinion on the FIFRA Fund's FY 2016 financial statements. We consider the EPA's inability to support the FIFRA Fund payroll costs a material weakness.

Comparison of EPA's FMFIA Report With Our Evaluation of Internal Controls

OMB Bulletin No. 15-02, *Audit Requirements for Federal Financial Statements*, requires the OIG to compare material weaknesses disclosed during the audit with those material weaknesses reported in the agency's FMFIA report that relate to the financial statements, and identify material weaknesses disclosed by the audit that were not reported in the agency's FMFIA report. The agency's FMFIA report is prepared and submitted at the Consolidated level, of which the FIFRA Fund is a component.

The agency did not report any material weakness for FY 2016, at the Consolidated level, impacting the FIFRA Fund.

Tests of Compliance With Laws, Regulations, Contracts and Grant Agreements

The EPA management is responsible for complying with laws, regulations, contracts and grant agreements applicable to the agency. As part of obtaining a reasonable assurance as to whether the agency's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, including those governing the use of budgetary authority, regulations, contracts and grant agreements that have a direct effect on the determination of material amounts and disclosures in the FIFRA Fund financial statements. The objective of our audit, including our tests of compliance with applicable laws, regulations, contracts, and grant agreements, was not to provide an opinion on compliance with such provisions. Accordingly, we do not express such an opinion. We did not identify any noncompliance that would result in a material misstatement to the audited financial statements.

Management's Discussion and Analysis Section of the Financial Statements

Our audit work related to the information presented in the Management's Discussion and Analysis of the pesticide program included comparing the overview information with information in the EPA's principal financial statements for consistency. We did not identify any material inconsistencies between the information presented in the two documents.

Prior Audit Coverage

During a previous audit of the FIFRA financial statements—*Fiscal Years 2014 and 2013 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund* (Report No. [16-F-0322](#)), issued September 22, 2016—we reported a material weakness regarding inadequate support of costs. We reported the same issue in the next audit report for the FIFRA financial statements—*Fiscal Years 2015 and 2014 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund* (Report No. [17-F-0314](#), issued July 10, 2017). Specifically, the EPA's Office of Pesticide Programs receives its funding both from fees paid by pesticide manufacturers and amounts appropriated by Congress. In both FYs 2014 and 2015, the EPA allocated its pesticide funding to use appropriated amounts, which would expire, and retained funding received from fees. Therefore, significant payroll amounts paid from appropriations were not charged directly to the FIFRA Fund or other pesticide programs. This resulted in

the loss of the audit trail for reporting separate costs and liabilities for the FIFRA Fund and other pesticide programs.

The agency agreed with our findings in the prior reports and is in the process of correcting this weakness. The agency indicated it believes the timekeeping system's cost allocation enhancement will allow for the creation of an audit trail to capture costs incurred by the FIFRA Fund and other appropriations that support FIFRA-related activities. The agency went live with this new enhancement in October 2016. However, for the FY 2016 financial statements, this continues to be an audit issue, and is considered a material weakness and the basis for the disclaimer of opinion for the FY 2016 statements.

Agency Comments

There are no new recommendations in this report, and the agency had no comments.



Paul C. Curtis
Certified Public Accountant
Director, Financial Statement Audits
Office of Inspector General
U.S. Environmental Protection Agency
August 11, 2017

Material Weakness

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1 – EPA Cannot Adequately Support FIFRA Fund Costs

The EPA cannot adequately support its FY 2016 FIFRA Fund costs. OMB policy states that basic financial statements include a Balance Sheet and Statement of Net Costs, and that the statement of net costs should include the net costs of operations. The EPA's Office of Pesticide Programs receives its funding both from fees paid by pesticide manufacturers and from amounts appropriated by Congress. In FY 2016, the EPA allocated its pesticide funding to use appropriated amounts, which would expire, and retained funding received from fees. Therefore, significant payroll amounts paid from appropriations were not charged directly to the FIFRA Fund or other pesticide programs. This resulted in the loss of the audit trail for reporting separate costs and liabilities for the FIFRA Fund and other pesticide programs. The EPA developed an allocation methodology to distribute costs funded by EPA appropriations back to the FIFRA Fund, but the methodology is based upon inconsistent charging of payroll costs between the FIFRA Fund and EPA appropriations. Because the EPA cannot adequately support total FY 2016 FIFRA Fund costs and liabilities, and because we were unable to determine by other audit procedures the adequacy of amounts allocated, consistency of application, or reasonableness of net costs and liabilities, we disclaimed an opinion on FIFRA's FY 2016 financial statements. We consider the EPA's inability to support the FIFRA Fund payroll costs a material weakness.

FIFRA requires that a set of financial statements be prepared to provide an annual accounting of expenditures and collections. OMB Circular A-136 requires that these statements include a Statement of Net Costs, under which net costs of operations are reported. The FIFRA Fund's costs of operations are supported by several sources: maintenance fees, registration and reregistration fees, and EPA appropriations.

In FY 2016, the EPA allocated its pesticide funding to use appropriated amounts that would expire, and to retain funding received from fees. Therefore, significant payroll amounts were paid from appropriations and not charged directly to the FIFRA Fund. This resulted in the loss of the audit trail for reporting separate FIFRA Fund costs. The EPA adopted an allocation methodology to determine the amount of appropriated dollars used to support FIFRA and the EPA's other pesticide programs. However, this methodology is based upon inconsistent and arbitrary charging of the Office of Pesticide Programs' payroll costs between the FIFRA Fund and the EPA's other pesticide programs. The inconsistent and arbitrary charging makes the allocation base unreliable, and the methodology cannot be used to support the FIFRA operations costs. We consider the inability of the EPA to support FY 2016 FIFRA Fund costs to be a material weakness.

We did not determine payroll costs overall for the EPA's pesticide programs to be inaccurate. Our findings are limited to the specific allocation of appropriated amounts to cover payroll costs of the EPA's pesticide programs and accounting for those costs at the program level. At the program level (specifically, for the FIFRA Funds), the agency could not provide adequate support, and we could not audit the payroll costs for those funds paid for by appropriated amounts to opine on the adequacy of such amounts.

We previously reported on this issue in the FYs 2014 and 2015 FIFRA Fund financial statement audit reports, and the agency agreed with our finding and is taking actions to correct this material

weakness. The agency indicated it believes the timekeeping system's cost allocation enhancement will allow for the creation of an audit trail to capture costs incurred by the FIFRA Fund and other appropriations that support FIFRA-related activities. The agency went live with this new enhancement in October 2016. We will evaluate the effectiveness of this cost allocation enhancement during our audit of the FY 2017 FIFRA Fund financial statements. However, for the FY 2016 financial statements, this continues to be an audit issue, and is considered a material weakness and the basis for the disclaimer of opinion for the FY 2016 statements.

Because this issue was noted in prior audit reports and the agency is taking corrective actions, we make no new recommendations for this material weakness.

**Fiscal Years 2016 and 2015 Pesticides Reregistration and Expedited
Processing Fund
Financial Statements**



*Produced by the U.S. Environmental Protection Agency
Office of the Chief Financial Officer
Office of Controller*

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Management's Discussion and Analysis

EPA's FY 2016 Annual FIFRA Financial Statements

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act (FQPA) of 1996, the EPA's Pesticide Program registers new pesticides and re-evaluates existing pesticides to ensure that they can be used safely and that levels of residue in food and animal feed are safe (there is a reasonable certainty of no harm). The agency must also conclude that, when used in accordance with labeling and common practices, the product will not generally cause unreasonable adverse effects on the environment.

In accordance with FIFRA and FFDCA, the pesticide program administers the Pesticides Reregistration and Expedited Processing Fund (FIFRA Fund). As of 1996, fees for reregistration are deposited to the FIFRA account, which is available to the EPA without further appropriation.

Under the FFDCA, EPA sets "tolerances", or maximum residue levels. If a pesticide is intended to be used in a manner that may result in residues in food or animal feed, the applicant must petition EPA for establishment of a tolerance (or exemption from a tolerance). Tolerances are set at levels that ensure a reasonable certainty of no harm from the potential pesticide residues in food combined with other non-occupational exposure.

The passage of the Food Quality Protection Act (FQPA) in 1996 provided for additional fees to support reregistration activities and required tolerances to be reassessed as part of the reregistration program. Effective January 1997, all fees related to tolerance activities were deposited in the FIFRA Fund. With passage of the Pesticide Registration Improvement Act (PRIA 1) of 2003 and amendments in 2007 and 2012, no additional tolerance petition fees are to be deposited to the FIFRA Fund through FY 2017.

The Pesticide Reregistration and Registration Review Programs

EPA is responsible for re-evaluating the safety of existing pesticides. Since the original pesticide legislation of 1947, scientific analysis techniques have grown much more precise and sophisticated and health and environmental standards have become more stringent. With the 1988 amendments to FIFRA (FIFRA '88), Congress mandated the accelerated reregistration of all products registered prior to November 1, 1984. The statute required completion of Reregistration Eligibility Decisions (REDs) and tolerance reassessment for all food-use active ingredients by 2006. Non-food-use active ingredient REDs were to be complete by October 3, 2008.

All REDs for the active ingredients have been completed. A RED is a decision by the Agency defining whether products containing the pesticide active ingredient are eligible or ineligible for reregistration. Following the issuance of the RED, the registrant must comply with the RED by submitting product-specific data and revised labels for each product containing that active ingredient, or cancel the product registration. Based on its review of the data, if the product has met all the requirements, the EPA then reregisters the product.

The FQPA introduced a new program called **registration review** to replace EPA's pesticide reregistration and tolerance reassessment programs as those programs were completed. Unlike earlier review programs, registration review applies to all registered pesticides. EPA reviews each registered pesticide every 15 years to determine whether it still meets the FIFRA standard for registration. In this way, the Agency ensures that all registered pesticides do not pose unreasonable risks to human health or the environment when used as directed on product labeling.

Congress authorized the collection of maintenance fees from manufacturers to supplement appropriated funds to support reregistration and registration review programs. Maintenance fees were structured under PRIA 3 to generate approximately \$27.8 million per year for five years (FY'13 – FY'17). Maintenance fees are assessed on a product-by-product basis with caps on the maximum number of products for which any single company would have to pay fees, as well as fee reductions for qualified small businesses. Registrations for minor use registrations and public health pesticides are also eligible for waivers and/or refunds of maintenance fees. Fees are deposited into the FIFRA Revolving Fund. By statute, excess monies in the FIFRA Fund may be invested. Between 11.1% and 12.5% of collected maintenance fees each year are used to support inert ingredient clearances as well as expedited processing of fast track amendments. Approximately \$800,000 of collected maintenance fees each year are used to enhance specified IT systems.

FQPA also reauthorized collection of maintenance fees through 2001 to complete the review of older pesticides to ensure they meet current standards (increasing annual fees from \$14 million to \$16 million per year through 2000) and required all tolerances (over 9,700) to be reassessed by 2006. The 2002 appropriations bill extended maintenance fees to \$17 million for another year, and the 2003 appropriations extended them to \$21.5 million for that year. Passage of PRIA 1 in FY 2004 extended maintenance fees through FY 2008 (with annual fees totaling \$26 million in FY 2004; \$27 million in FY 2005-2006; \$21 million in FY 2007; and \$15 million in FY 2008). Passage of the Pesticide Registration Improvement Renewal Act (PRIA 2) in October 2007 extended maintenance fees through FY 2012 (\$22 million each FY). PRIA 2 provided for maintenance fees to offset the costs of registration review beginning in FY 2008.

Enforcement and Compliance Assurance Program Description

The Pesticide Enforcement and Compliance Assurance Program focuses on pesticide product and user compliance. These include problems relating to pesticide worker safety, certification and training of applicators, ineffective antimicrobial products, food safety, adverse effects, risks of pesticides to endangered species, pesticide containers and containment facilities, and e-commerce and misuse. The enforcement and compliance assurance program provides compliance assistance to the regulated community through its National Agriculture Compliance Assistance Center, seminars, guidance documents, brochures, and other forms of communication to ensure knowledge of and compliance with environmental laws.

EPA's grant support to state and tribal pesticide programs emphasizes its commitment to maintaining a strong compliance and enforcement presence. Agency FIFRA Cooperative Agreement priorities for FY 2015 – FY 2017 include the enforcement of worker protection standards and pesticide applicator certification requirements; compliance monitoring and enforcement activities related to the pesticide container and containment rules, the revised soil fumigant labels, compliance of supplemental distributor products, contract manufacturing and program performance reporting. Core program activities include inspections of producing establishments; dealers/distributors/retailers; e-commerce; imports and exports, and pesticide misuse. Additionally, through Cooperative Agreements we support inspector training and training for state and tribal senior managers, scientists, and supervisors.

Highlights and Accomplishments

Tolerance Performance Measures

As mandated by PRIA 3, no Tolerance fees were collected and deposited to the FIFRA Fund in FY 2016.

Measure: Tolerance re-evaluations.

Results: The tolerance reassessment program was completed in FY 2007. EPA completed 9,721 tolerance reassessment decisions, addressing 100% of the 9,721 tolerances that required reassessment. Therefore, no further tolerance reassessment decisions were needed or completed in FY 2016.

Reregistration (FIFRA) Financial Perspective

During FY 2016, the Agency's obligations charged against the FIFRA Fund for the cost of the reregistration programs and other authorized pesticide programs were approximately \$15.8 million and 84.8 work-years. Of this amount, OPP obligated \$10.9 million for personnel compensation and benefits (PC&B).

Appropriated funds are used in addition to FIFRA revolving funds. In FY 2016, the Enacted Operating Plan included approximately \$43.9 million in appropriated funds for reregistration program activities.

The Fund has two types of receipts: fee collections and interest earned on investments. Of the \$27.5 million in FY 2016 receipts, more than 99.9% were fee collections. Total unobligated balance in the fund at the end of FY 2016 was \$30.8 million.

Reregistration Program (FIFRA) Performance Measures

The following measures support the program's strategic goals ensuring the safety of chemicals and Pollution Prevention.

Measure 1: Number of Reregistration Eligibility Documents (REDs) completed.

Results: All Reregistration Eligibility Decisions (REDs) were completed by the end of FY 2008. Of the 613 chemical cases (representing approximately 1,150 pesticide active ingredients) that initially were subject to reregistration, 384 cases have completed REDs. An additional 229 reregistration cases were voluntarily canceled before EPA invested significant resources in developing REDs. All 613 reregistration cases (100%) completed the reregistration eligibility decision making process by the end of FY 2008.

Measure 2: Number of products reregistered, canceled, or amended. Over 20,000 products are or eventually will be subject to product reregistration. Many products, however, contain more than one active ingredient. Since products are reassessed separately for each active ingredient, EPA will conduct approximately 38,000 product reviews.

Results: In FY 2016, EPA completed the following actions: 14 reregistration decisions; 65 amendment decisions; 227 product cancellations (many of these cancelled products have multiple active ingredients, accounting for 404 decisions); and no suspension decisions. The Agency's goal in FY 2017 is to complete 600 product reregistration actions.

Measure 3: Progress in Reducing the Number of Unreviewed, Required Reregistration Studies.

Results: EPA completed the last REDs for conventional pesticides in 2008, so all studies necessary to make reregistration eligibility decisions have been reviewed. REDs are complete for antimicrobial pesticides as well, but the program continues to issue post-RED DCIs and thus will have studies to review.

Measure 4: Number and Type of DCIs Issued to Support Product Reregistration by Active Ingredient.

Results: Regarding Data Call-In notices (DCIs) under FIFRA section 3(c)(2)(B) to support product reregistration for pesticide active ingredients included in REDs, EPA completed the last remaining REDs and reported DCI information for the conventional pesticide REDs in FY 2008. In FY 2016, the program issued 24 post-RED DCIs for 19 antimicrobial pesticide active ingredients for both product specific and generic data. The Agency's goal in FY 2017 is to issue 6 additional post-RED DCIs for 6 antimicrobial pesticide active ingredients.

Measure 5: Future Schedule for Reregistrations.

The last REDs were completed in FY 2008; therefore, there are no remaining candidates for future decisions.

PRINCIPAL FINANCIAL STATEMENTS

EPA's FY 2016 Annual FIFRA Financial Statements

Principal Financial Statements

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United States Environmental Protection Agency
FIFRA
Balance Sheet
As of September 30, 2016 and 2015
(Dollars in Thousands)

	<u>FY 2016</u>	<u>FY 2015</u>
Assets:		
Intragovernmental:		
Fund Balance With Treasury (Note 2)	\$ 31,654	\$ 22,400
Other (Note 3)	<u>11</u>	<u>89</u>
Total Intragovernmental	31,665	22,489
Property, Plant & Equipment, Net (Note 4)	<u>783</u>	<u>378</u>
Total Assets	<u>\$ 32,448</u>	<u>\$ 22,867</u>
Liabilities:		
Intragovernmental:		
Accounts Payable and Accrued Liabilities	26	129
Other (Note 5)	<u>323</u>	<u>178</u>
Total Intragovernmental	349	307
Accounts Payable & Accrued Liabilities	505	467
Payroll & Benefits Payable (Note 6)	2,106	1,045
Other (Note 5)	<u>36,867</u>	<u>26,382</u>
Total Liabilities	<u>\$ 39,827</u>	<u>\$ 28,201</u>
Net Position:		
Unexpended Appropriations - Funds from Dedicated Collections	(1,063)	9
Cumulative Results of Operations - Funds from Dedicated Collections	<u>(6,316)</u>	<u>(5,343)</u>
Total Net Position	(7,379)	(5,334)
Total Liabilities and Net Position	<u>\$ 32,448</u>	<u>\$ 22,867</u>

The accompanying notes are an integral part of these financial statements.

EPA's FY 2016 Annual FIFRA Financial Statements

United States Environmental Protection Agency
FIFRA
Statement of Net Cost
For the Fiscal Years Ending September 30, 2016 and 2015
(Dollars in Thousands)

	<u>FY 2016</u>	<u>FY 2015</u>
Costs:		
Gross Costs (Note 9)	\$ 19,608	\$ 20,821
Expenses from Other Appropriations (Note 7)	<u>39,730</u>	<u>45,054</u>
Total Costs	59,338	65,875
Less:		
Earned Revenue (Note 8 and 9)	<u>18,047</u>	<u>21,384</u>
Net Cost of Operations	\$ <u>41,291</u>	\$ <u>44,491</u>

The accompanying notes are an integral part of these financial statements.

EPA's FY 2016 Annual FIFRA Financial Statements

United States Environmental Protection Agency
FIFRA
Statement of Changes in Net Position
For the Fiscal Years Ending September 30, 2016 and 2015
(Dollars in Thousands)

	<u>FY 2016</u>	<u>FY 2015</u>
Cumulative Results of Operations:		
Net Position - Beginning of Period	\$ <u>(5,343)</u>	\$ <u>(6,647)</u>
Beginning Balances	(5,343)	(6,647)
Budgetary Financing Sources:		
Appropriations Used	-	(9)
Nonexchange Revenue - Securities Investment	16	1
Transfers In/Out	(1)	-
Income from Appropriations (Note 7)	<u>39,730</u>	<u>45,054</u>
Total Budgetary Financing Sources	39,745	45,046
Other Financing Sources (Non-Exchange)		
Imputed Financing Sources	<u>573</u>	<u>750</u>
Total Other Financing Sources	573	750
Net Cost of Operations	(41,291)	(44,491)
Net Change	(973)	1,304
Cumulative Results of Operations	<u>\$ (6,316)</u>	<u>\$ (5,343)</u>
	<u>FY 2016</u>	<u>FY 2015</u>
Unexpended Appropriations:		
Net Position - Beginning of Period	9	-
Budgetary Financing Sources:		
Other Adjustments (Note 11)	(1,072)	-
Appropriations Used	<u>-</u>	<u>9</u>
Total Budgetary Financing Sources	(1,072)	9
Total Unexpended Appropriations	(1,063)	9
Total Net Position	<u>\$ (7,379)</u>	<u>\$ (5,334)</u>

The accompanying notes are an integral part of these financial statements.

EPA's FY 2016 Annual FIFRA Financial Statements

United States Environmental Protection Agency
FIFRA
Statement of Budgetary Resources
For the Fiscal Years Ending September 30, 2016 and 2015
(Dollars in Thousands)

	FY 2016	FY 2015
Budgetary Resources		
Unobligated balance, brought forward, October 1:	\$ 15,973	\$ 10,518
Unobligated Balance Brought Forward, October 1	15,973	10,518
Recoveries of prior year unpaid obligations	-	35
Other changes in unobligated balance (Note 11)	(1,072)	-
Unobligated balance from prior year budget authority, net	14,901	10,553
Appropriations (discretionary and mandatory)	91	(28)
Spending Authority from offsetting collection (discretionary and mandatory)	28,500	27,671
Total Budgetary Resources	<u>\$ 43,492</u>	<u>\$ 38,196</u>
 Status of Budgetary Resources		
Obligations Incurred	16,383	22,223
Unobligated Balance, end of year:		
Apportioned	26,390	15,973
Unapportioned	719	-
Total Unobligated balance, end of period	<u>27,109</u>	<u>15,973</u>
Total Status of Budgetary Resources	<u>\$ 43,492</u>	<u>\$ 38,196</u>
 Change in Obligated Balance		
Unpaid Obligations:		
Unpaid obligations, brought forward, October 1 (gross)	4,395	3,959
Obligations incurred, net	16,384	22,223
Outlays (gross)	(18,174)	(21,751)
Recoveries of prior year unpaid obligations	-	(36)
Unpaid obligations, end of year (gross)	<u>\$ 2,605</u>	<u>\$ 4,395</u>
 Memorandum entries:		
Obligated balance, start of year	4,395	3,959
Obligated balance, end of year (net)	2,605	4,395
 Budget authority and outlays, net		
Budget authority, gross (discretionary and mandatory)	28,591	27,643
Actual offsetting collections (discretionary and mandatory)	(28,500)	(27,671)
Budget Authority, net (discretionary and mandatory)	<u>\$ 91</u>	<u>(28)</u>
 Outlays, gross (discretionary and mandatory)	18,174	21,751
Actual offsetting collections (discretionary and mandatory)	(28,500)	(27,671)
Outlays, net (discretionary and mandatory)	(10,326)	(5,920)
Agency outlays, net (discretionary and mandatory)	<u>\$ (10,326)</u>	<u>\$ (5,920)</u>

The accompanying notes are an integral part of these financial statements.

EPA's FY 2016 Annual FIFRA Financial Statements

United States Environmental Protection Agency
FIFRA
Notes to Financial Statements
For the Fiscal Years Ending September 30, 2016 and 2015
(Dollars in Thousands)

Note 1. Summary of Significant Accounting Policies

A. Reporting Entity

The U.S. Environmental Protection Agency (EPA or Agency) was created in 1970 by executive reorganization from various components of other Federal agencies in order to better marshal and coordinate Federal pollution control efforts. The Agency is generally organized around the media and substances it regulates -- air, water, land, hazardous waste, pesticides and toxic substances.

The FIFRA Revolving Fund was authorized in 1988 by amendments to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). The 1988 amendments mandated the accelerated re-registration of all products registered prior to November 1, 1984. Congress authorized the collection of maintenance fees to supplement appropriations to fund re-registration and to fund expedited processing of pesticides. Maintenance fees are assessed on registrants of pesticide products. FIFRA also includes provisions for the registration of new pesticides (funded in part from the PRIA or Pesticide Registration Fund), monitoring the distribution and use of pesticides, issuing civil or criminal penalties for violations, establishing cooperative agreements with the states, and certifying training programs for users of restricted chemicals. Appropriated funds, with the exception of partial funding of registration from Pesticide Registration Service Fees in the Pesticide Registration Fund, pay for these activities. The FIFRA Revolving Fund is accounted for under Treasury symbol number 68X4310.

The FIFRA fund may charge some administrative costs directly to the fund and charge the remainder of the administrative costs to Agency-wide appropriations. Costs funded by Agency-wide appropriations for FY 2016 and FY 2015 were \$39,730 thousand and \$45,054 thousand, respectively. These amounts are included as Income from Other Appropriations on the Statement of Changes in Net Position and as Expenses from Other Appropriations on the Statement of Net Cost.

B. Basis of Presentation

These financial statements have been prepared to report the financial position and results of operations of the EPA for the Reregistration and Expedited Processing (FIFRA) Revolving Fund as required by the Chief Financial Officers Act of 1990. The reports have been prepared from the books and records of the EPA in accordance with Office of Management and Budget (OMB) Circular A-136 *Financial Reporting Requirements*, and the EPA's accounting policies which are summarized in this note. These statements are therefore different from the financial reports also prepared by the EPA pursuant to OMB directives that are used to monitor and control the EPA's

use of budgetary resources. The balances in these reports have been updated from the EPA consolidated financial statements to reflect the use of FY 2016 and FY 2015 cost factors for calculating imputed costs for Federal civilian benefits programs, respectively. These updates impact the Balance Sheet, Statement of Net Cost, and Statement of Changes in Net Position.

C. Budgets and Budgetary Accounting

Funding of the FIFRA Revolving Fund is provided by fees collected from industry to offset costs incurred by the EPA in carrying out these programs. Each year, the EPA submits an apportionment request to OMB based on the anticipated collections of industry fees.

D. Basis of Accounting

Generally Accepted Accounting Principles (GAAP) for Federal entities is the standard prescribed by the Federal Accounting Standards Advisory Board (FASAB), which is the official standard setting body for the federal government. The financial statements are prepared in accordance with GAAP for federal entities.

Transactions are recorded on an accrual accounting basis and a budgetary basis. Under the accrual method, revenues are recognized when earned and expenses are recognized when a liability is incurred, without regard to receipt or payment of cash. Budgetary accounting facilitates compliance with legal constraints and controls over the use of Federal funds. All interfund balances and transactions have been eliminated.

E. Revenues and Other Financing Sources

The EPA's 2002 appropriations bill extended authority to collect maintenance fees by one year in the amount of \$17 million and the FY 2003 appropriations extended the authority to collect fees again by one year in the amount of \$21.5 million. Passage of the Pesticide Registration Improvement Act (PRIA) in 2004 extended the authority to collect maintenance fees through FY 2008 (with annual fee amounts at \$26 million in FY 2004; \$27 million in FY 2005-2006; \$21 million in FY 2007; and \$15 million in FY 2008). Passage of the Pesticide Registration Improvement Renewal Act (commonly referred to as PRIA II) in 2007 extended the authority to collect maintenance fees through FY 2012 (with annual fee amounts set at \$22 million each year from 2008-2012). For FYs 2016 and 2015, the FIFRA Revolving Fund received funding from maintenance fees collected on existing registered pesticide products and from interest collected on investments in U.S. Government securities. For FYs 2016 and 2015, revenues were recognized from fee collections to the extent that expenses are incurred during the fiscal year.

F. Funds with the Treasury

The FIFRA fund deposits receipts and processes disbursements through its operating account maintained at the U.S. Department of Treasury. Cash funds in excess of immediate needs are invested in U.S. Government securities.

G. Investments in U. S. Government Securities

Investments in U. S. Government securities are maintained by Treasury (Bureau of Public Debt) and are reported at amortized cost net of unamortized discounts. Discounts are amortized over the term of the investments and reported as interest income. FIFRA holds the investments to maturity, unless needed to finance operations of the fund. No provision is made for unrealized gains or losses on these securities because, in the majority of cases, they are held to maturity.

H. General Property, Plant and Equipment

General property, plant and equipment for FIFRA includes software in development. All funds (except for the Working Capital Fund) capitalize software if those investments are considered Capital Planning and Investment Control (CPIC) or CPIC Lite systems with the provisions of Statement of Federal Financial Accounting Standards (SFFAS) No. 10, "Accounting for Internal Use Software." Once software enters the production life cycle phase, it is depreciated using the straight-line method over the specific asset's useful life ranging from two to 10 years.

I. Accounts Receivable and Interest Receivable

FIFRA receivables are mainly for interest receivable on investments.

J. Liabilities

Liabilities represent the amount of monies or other resources that are likely than not to be paid by the Agency as the result of an Agency transaction or event that has already occurred and can be reasonably estimated. However, no liability can be paid by the Agency without an appropriation or other collections. Liabilities for which an appropriation has not been enacted are classified as unfunded liabilities, and there is no certainty that the appropriations will be enacted. For FIFRA, liabilities are liquidated from fee receipts and interest earnings, since FIFRA receives no appropriation. Liabilities of the Agency, arising from other than contracts can be abrogated by the Government acting in its sovereign capacity.

K. Accrued Unfunded Annual Leave

Annual, sick and other leave is expensed as taken during the fiscal year. Sick leave earned but not taken is not accrued as a liability. Annual leave earned but not taken as of the end of the fiscal year is accrued as an unfunded liability. Accrued unfunded annual leave is included in the Balance Sheet as a component of "Payroll and Benefits Payable."

L. Retirement Plan

There are two primary retirement systems for Federal employees. Employees hired prior to January 1, 1987, may participate in the Civil Service Retirement System (CSRS). On January 1, 1984, the Federal Employees Retirement System (FERS) went into effect, pursuant to Public Law 99-335. Most employees hired after December 31, 1983, are automatically covered by

FERS and Social Security. Employees hired prior to January 1, 1984, elected to either join FERS and Social Security or remain in CSRS. A primary feature of FERS is that it offers a savings plan to which the Agency automatically contributes one percent of pay and matches any employee contributions up to an additional four percent of pay. The Agency also contributes the employer's matching share for Social Security.

With the issuance of SFFAS No. 5, "Accounting for Liabilities of the Federal Government," accounting and reporting standards were established for liabilities relating to the federal employee benefit programs (Retirement, Health Benefits, and Life Insurance). SFFAS No. 5 requires that the employing agencies recognize the cost of pensions and other retirement benefits during their employees' active years of service. SFFAS No. 5 requires that the Office of Personnel Management (OPM), as administrator of the CSRS and FERS, the Federal Employees Health Benefits Program, and the Federal Employees Group Life Insurance Program, provide federal agencies with the actuarial cost factors to compute the liability for each program.

M. Use of Estimates

The preparation of financial statements requires management to make certain estimates and assumptions that affect the reported amounts of assets and liabilities and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

N. Prior Period Adjustments and Restatements

Prior period adjustments, if any, are made in accordance with SFFAS No. 21, "Reporting Corrections of Errors and Changes in Accounting Principles." Specifically, prior period adjustments will only be made for material prior period errors to: (1) the current period financial statements, and (2) the prior period financial statements presented for comparison. Adjustments related to changes in accounting principles will only be made to the current period financial statements, but not to prior period financial statements presented for comparison.

Note 2. Fund Balance with Treasury

	<u>FY 2016</u>		<u>FY 2015</u>
Revolving Funds: Entity Assets	\$ 31,654	\$	22,400

Note 3. Other Assets-Advances to Working Capital Fund

FIFRA advances funds to the EPA's Working Capital Fund to pay for computer, postage, and other administrative support services. As of September 30, 2016 and 2015, funds advanced that will be applied to future costs as incurred were \$11 thousand and \$89 thousand, respectively.

Note 4. General Property, Plant and Equipment

General property, plant and equipment includes the EPA-Held personal property, software, and software in development.

As of September 30, 2016 and 2015, General Property, Plant and Equipment consist of the following:

	FY 2016			FY 2015		
	Acquisition Value	Accumulated Depreciation	Net Book Value	Acquisition Value	Accumulated Depreciation	Net Book Value
EPA-Held Equipment	\$ 489	(28)	461	\$ -	-	-
Software	1,049	(727)	322	1,107	(729)	378
Total	<u>\$ 1,538</u>	<u>(755)</u>	<u>783</u>	<u>\$ 1,107</u>	<u>(729)</u>	<u>378</u>

Note 5. Other Liabilities

For FYs 2016 and 2015, the Payroll and Benefits Payable, non-Federal, are presented on a separate line of the Balance Sheet and in a separate footnote (see Note 6).

	FY 2016	FY 2015
Other Intragovernmental Liabilities - Covered by Budgetary Resources		
Employer Contributions - Payroll	\$ <u>323</u>	<u>178</u>
Total	<u>\$ 323</u>	<u>178</u>
Other Non-Federal Liabilities - Covered by Budgetary Resources		
Advances from Non-Federal Entities	<u>36,867</u>	<u>26,382</u>
Total	<u>\$ 36,867</u>	<u>\$ 26,382</u>

Note 6. Payroll and Benefits Payable, non-Federal

	FY 2016	FY 2015
Covered by Budgetary Resources		
Accrued Payroll Payable to Employees	\$ 1,542	\$ 865
Withholdings Payable	69	81
Thrift Savings Plan Benefits Payable	68	39
Total	<u>\$ 1,679</u>	<u>\$ 985</u>
Not Covered by Budgetary Resources		
Unfunded Annual Leave Liability	<u>\$ 427</u>	<u>60</u>

At various periods throughout FYs 2016 and 2015, employees with their associated payroll costs were transferred from the FIFRA fund to the Environmental Programs and Management (EPM) appropriation. (See graph in Note 7 below showing trend of hours charged per month to the FIFRA fund for FYs 2016 and 2015.) These employees were transferred in order to keep FIFRA's obligations and disbursements within budgetary and cash limits. When resources became available, the employees charging to FIFRA increased in order to utilize resources as much as possible. The Agency expects that the practice of transferring employees when FIFRA's resources are low, and restoring employees when funds become available, will continue throughout FY 2016 and probably beyond that period.

This process has led to variations between the year-end liabilities for FYs 2016 and 2015. The liabilities covered by budgetary resources (both intragovernmental and non-Federal) represent unpaid payroll and benefits at year-end. At the end of FY 2016 and FY 2015, 55 employees and 30 employees were charging their salary and benefits to FIFRA, respectively. As of September 30, 2016 these liabilities were \$323 thousand and \$1,679 thousand for employer contributions and accrued funded payroll and benefits, as compared to FY 2015's balances of \$178 thousand and \$985 thousand, respectively.

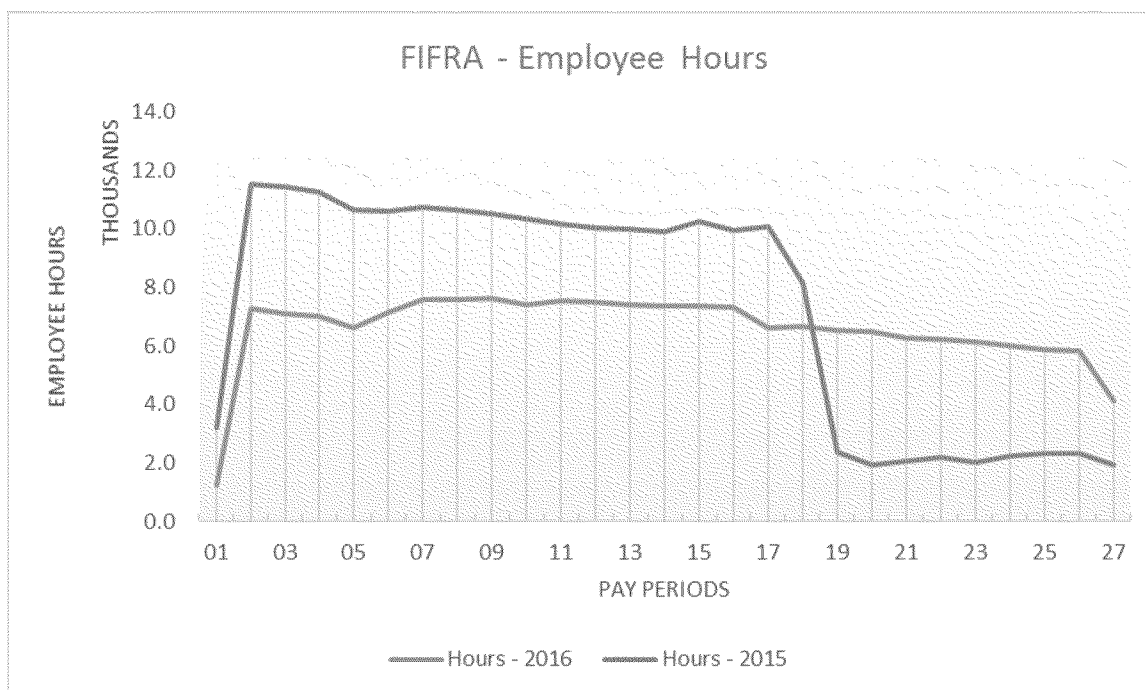
In contrast, the unfunded annual leave liability is a longer term liability than the funded liabilities. At various periods throughout FYs 2016 and 2015, approximately 125 and 262 employees, respectively, in total have been under FIFRA's accountability. During the 25th pay period of FY 2016, the liability was computed based on 85 employees charging to FIFRA in the last pay period. Both the September 30, 2016 and 2015 liability balances for unfunded annual leave were accrued to cover the employees charged to FIFRA close to the end of the fiscal year for a total of \$427 thousand and \$60 thousand, respectively.

Note 7. Income and Expenses from Other Appropriations

The Statement of Net Cost reports program costs that include the full costs of the program outputs and consist of the direct costs and all other costs that can be directly traced, assigned on a cause and effect basis, or reasonably allocated to program outputs.

During FYs 2016 and 2015, the EPA had two appropriations which funded a variety of programmatic and non-programmatic activities across the Agency, subject to statutory requirements. The EPM appropriation was created to fund personnel compensation and benefits, travel, procurement, and contract activities. Transfers of employees from FIFRA to EPM at various times during these years (see Note 6 above) resulted in a decrease in payroll expenses in EPM, and these costs financed by EPM are reflected as a decrease in the Expenses from Other Appropriations on the Statement of Net Cost. The decreased financing from EPM is reported on the Statement of Changes in Net Position as Income from Other Appropriations.

In terms of hours charged to FIFRA each month, the transfer of employees and their associated costs, during FYs 2016 and 2015 are shown below. In addition, Pesticide registration was separated from FIFRA starting with FY 2004 and Pesticide has its own set of financial statements.



EPM costs related to FIFRA are allocated based on specific EPM program codes which have been designated for Pesticide activities. As illustrated below, there is no impact on FIFRA's Statement of Changes in Net Position.

	Income from Other Appropriations	Expenses from Other Appropriations	Net Effect
FY 2016	\$ 39,730	39,730	-
FY 2015	\$ 45,054	45,054	-

Note 8. Exchange Revenues, Statement of Net Cost

For FYs 2016 and 2015, the exchange revenues reported on the Statement of Net Cost include both Federal and non-Federal amounts.

Note 9. Intragovernmental Costs and Exchange Revenue

	FY 2016	FY 2015
Costs:		
Intragovernmental	\$ 4,533	\$ 6,673
With the Public	15,075	14,148
Expenses from Other Appropriations	39,730	45,054
Total Costs	59,338	65,875
Revenue:		
With the Public	18,047	21,384
Total Revenue	18,047	21,384
Net Cost of Operations:	<u>\$ 41,291</u>	<u>\$ 44,491</u>

Intragovernmental costs relate to the source of the goods or services not the classification of the related revenue.

Note 10. Reconciliation of Net Cost of Operations to Budget

	<u>FY 2016</u>	<u>FY 2015</u>
Resources Used to Finance Activities:		
Budgetary Resources Obligated		
Obligations Incurred	\$ 16,384	\$ 22,223
Less: Spending Authority from Offsetting Collections and Recoveries	<u>(28,500)</u>	<u>(27,707)</u>
Obligations, Net of Offsetting Collections	<u>(12,116)</u>	<u>(5,484)</u>
Net Obligations	(12,116)	(5,484)
Other Resources		
Imputed Financing Sources	573	750
Income from Other Appropriations	<u>39,730</u>	<u>45,054</u>
Net Other Resources Used to Finance Activities	40,303	45,804
 Total Resources Used To Finance Activities	 <u>\$ 28,187</u>	 <u>\$ 40,320</u>
 Resources Used to Finance Items		
Not Part of the Net Cost of Operations:		
Change in Budgetary Resources Obligated	12,116	5,482
Resources that Finance Asset Acquisition	<u>(432)</u>	<u>-</u>
Total Resources Used to Finance Items Not Part of the Net Cost of Operations	11,684	5,482
 Total Resources Used to Finance the Net Cost of Operations	 <u>\$ 39,871</u>	 <u>\$ 45,802</u>
 Components of the Net Cost of Operations that Will		
Not Require or Generate Resources in the Current Period:		
Components Requiring or Generating Resources in Future Periods:		
Increase in Annual Leave Liability	367	(1,341)
Upward/Downward Reestimates of Credit Subsidy Expense	<u>1,026</u>	<u>-</u>
Total Components of Net Cost of Operations that Require or		
Generate Resources in Future Periods	1,393	(1,341)
 Components Not Requiring/Generating Resources:		
Depreciation and Amortization	<u>27</u>	<u>30</u>
Total Components of Net Cost that Will Not Require or Generate Resources	<u>27</u>	<u>30</u>
 Total Components of Net Cost of Operations that Will Not Require or		
Generate Resources in the Current Period	<u>1,420</u>	<u>(1,311)</u>
 Net Cost of Operations	 <u>\$ 41,291</u>	 <u>\$ 44,491</u>

Note 11. Miscellaneous Receipts Act Violations and Potential Anti-Deficiency Act Violations

In 2007 and 2014 OPP established the per-product maintenance fee to purposefully collect fees above the FIFRA § 4 statutory target with the understanding that EPA could "make up" for shortfalls in prior years' collections. The FIFRA § 4 does not authorize EPA to purposefully over-collect fees where the statutory target was not met in prior years so as to reach the target "on average" over a given number of years. As of 2016, the Agency had collected \$1.072 million in fees in excess of its statutory authority. In compliance with the Miscellaneous Receipts Act, in May 2016, the EPA deposited the excess fees collected into the General Fund of the Treasury.

Distribution

The Administrator
Chief of Staff
Chief of Staff for Operations
Deputy Chief of Staff for Operations
Chief Financial Officer
Agency Follow-Up Coordinator
Assistant Administrator for Chemical Safety and Pollution Prevention
General Counsel
Associate Administrator for Congressional and Intergovernmental Relations
Associate Administrator for Public Affairs
Director, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Deputy Director, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Senior Advisor, FIFRA & PRIA Implementation, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Director, Pesticide Re-Evaluation Division, Office of pesticide Programs, Office of Chemical Safety and Pollution Prevention
Director, Registration Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Director, Antimicrobials Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Director, Information Technology and Resources Management Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Controller, Office of the Controller, Office of the Chief Financial Officer
Deputy Controller, Office of the Controller, Office of the Chief Financial Officer
Director, Accounting and Cost Analysis Division, Office of the Chief Financial Officer
Director, Policy, Training, and Accountability Division, Office of the Chief Financial Officer
Audit Follow-Up Coordinator, Office of the Administrator
Audit Follow-Up Coordinator, Washington Finance Center, Office of the Chief Financial Officer
Audit Follow-Up Coordinator, Office of the Chief Financial Officer
Audit Follow-Up Coordinator, Office of Chemical Safety and Pollution Prevention
FIFRA & PRIA Audit Coordinator, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention

To: Pruitt, Scott[Pruitt.Scott@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov];
Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Scott Yager
Sent: Mon 6/12/2017 7:01:03 PM
Subject: FW: NCBA-PLC letter of support for Susan Bodine for EPA OECA
[image001.png](#)
[NCBA-PLC Bodine Support Letter Barrasso Carper FINAL.pdf](#)

Colleagues at EPA, FYI our support letter for Susan Bodine as head of OECA. -Scott

From: Scott Yager
Sent: Monday, June 12, 2017 2:59 PM
To: 'richard_russell@epw.senate.gov' <richard_russell@epw.senate.gov>;
'brian_clifford@epw.senate.gov' <brian_clifford@epw.senate.gov>;
'matt_leggett@epw.senate.gov' <matt_leggett@epw.senate.gov>
Subject: NCBA-PLC letter of support for Susan Bodine for EPA OECA

Friends at EPW,

I'm attaching NCBA and PLC's support letter for Susan Bodine to lead EPA's Office of Enforcement and Compliance Assurance, for the record. I'm also planning to send to staff in Barrasso and Carper's office. Thank you!

Scott Yager

Environmental Counsel

National Cattlemen's Beef Association

1275 Pennsylvania Ave, NW Suite 801

Washington DC, 20004

202-879-9102



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**National Cattlemen's
Beef Association**

Cattlemen • Leadership • Solutions



June 12, 2017

The Honorable John Barrasso

Chairman, U.S. Senate Committee on Environment and Public Works

410 Dirksen Senate Office Building

Washington, D.C. 20510-6176

The Honorable Thomas Carper

Ranking Member, U.S. Senate Committee on Environment and Public Works

456 Dirksen Senate Office Building

Washington, D.C. 20510-6176

Dear Chairman Barrasso and Ranking Member Carper:

The National Cattlemen's Beef Association (NCBA) and the Public Lands Council (PLC) urge you to vote in favor of Susan Bodine as Assistant Administrator of the Office of Enforcement and Compliance Assurance (OECA) of the Environmental Protection Agency (EPA). NCBA is the cattle industry's largest and oldest national trade association, representing American cattle producers who provide much of the nation's food supply and manage a large part of America's private property. PLC is the only national organization dedicated solely to representing the roughly 22,000 ranchers who hold federal grazing permits and operate on federal lands. Our organizations strongly believe Bodine's nomination is an important step towards protecting our environment through firm, but fair, compliance and enforcement measures.

Bodine has impeccable credentials with 29 years of environmental law and policy experience garnered from leadership positions in the federal government and private sector. Bodine currently serves as Chief Counsel for the Senate Committee on Environment and Public Works, and she was previously the staff director and senior counsel for the House Subcommittee on Water Resources and Environment, and the House Committee on Transportation and Infrastructure. During the George W. Bush Administration, Bodine served as the Assistant Administrator of EPA's Office of Solid Waste and Emergency Response. Bodine was a partner at Barnes & Thornburg LLP where she led coalition efforts on environmental issues. She has proven her commitment to public service and she is a distinguished expert in environmental law, which will prove invaluable in her role as Assistant Administrator of OECA.

On a personal level, NCBA and PLC have found Bodine to be a valuable resource due to her breadth of experience and knowledge. And importantly, she is fair and impartial in all areas of her work.

America's livestock producers are invested in keeping our air, water, and land clean for future generations of livestock producers. A compliance-first approach to regulatory programs would enable farmers and ranchers to work with EPA as partners in environmental stewardship rather than simply being regulatory targets. With Bodine at the helm of OECA, we believe we can achieve this goal and herald an era of environmental success.

For these reasons and many more, NCBA and PLC strongly support Susan Bodine's nomination to Assistant Administrator of OECA.

Sincerely,



Craig Uden
President
National Cattlemen's Beef Association



David Eliason
President
Public Lands Council

cc: The Honorable Scott Pruitt, Administrator, United States Environmental Protection Agency

To: Bloom, David[Bloom.David@epa.gov]
Cc: Pruitt, Scott[Pruitt.Scott@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Darwin, Henry[darwin.henry@epa.gov]; Chmielewski, Kevin[chmielewski.kevin@epa.gov]; Trent, Bobbie[Trent.Bobbie@epa.gov]; Anthony, Sherri[Anthony.Sherri@epa.gov]; Howard, MarkT[Howard.MarkT@epa.gov]; Minoli, Kevin[Minoli.Kevin@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Vizian, Donna[Vizian.Donna@epa.gov]; Osborne, Howard[Osborne.Howard@epa.gov]; Conklin, Jeanne[Conklin.Jeanne@epa.gov]; Jones-Peeler, Meshell[Jones-Peeler.Meshell@epa.gov]; Terris, Carol[Terris.Carol@epa.gov]; Jones, Quentin[Jones.Quentin@epa.gov]; Gray, Richard[Gray.Richard@epa.gov]; O'Connor, John[OConnor.John@epa.gov]; Miller, Renee[Miller.Renee@epa.gov]; Treimel, Ellen[Treimel.Ellen@epa.gov]; Lemley, Jamie[Lemley.Jamie@epa.gov]
From: OIG News
Sent: Thur 11/9/2017 7:00:19 PM
Subject: OIG Report: "EPA Reported Its Fiscal Year 2017 Second Quarter Financial and Award Data in Accordance With the DATA Act"
[_epaoig_20171109-18-P-0037_cert.pdf](#)

Attached is the EPA Office of Inspector General (OIG) report, *EPA Reported Its Fiscal Year 2017 Second Quarter Financial and Award Data in Accordance With the DATA Act* (Report No. 18-P-0037). This report will be available to the public on the OIG's website at www.epa.gov/oig.



U.S. ENVIRONMENTAL PROTECTION AGENCY

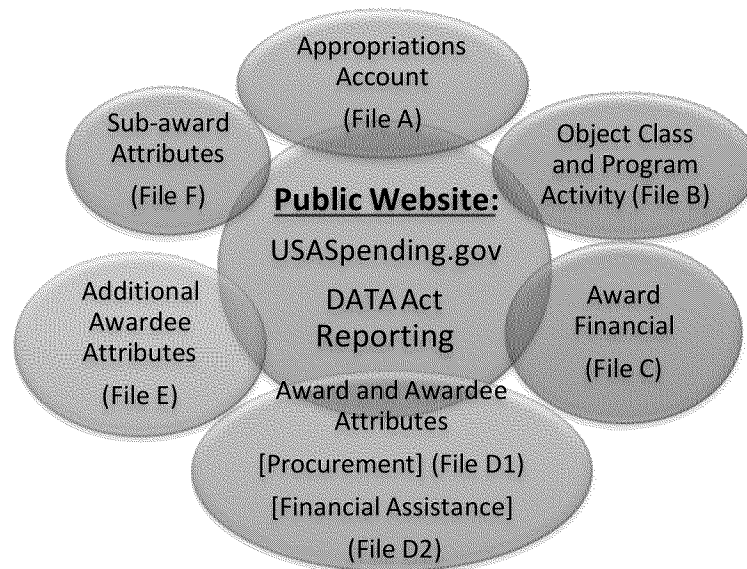
OFFICE OF INSPECTOR GENERAL

Operating efficiently and effectively

EPA Reported Its Fiscal Year 2017 Second Quarter Financial and Award Data in Accordance With the DATA Act

Report No. 18-P-0037

November 9, 2017



Report Contributors:

Paul Curtis
Robert Evans
Margaret Hiatt
Jennifer Hutkoff
Demetrios Papakonstantinou
Kevin Ross

Abbreviations

CIGIE	Council of the Inspectors General on Integrity and Efficiency
DATA Act	Digital Accountability and Transparency Act of 2014
DEAR	DATA Act Evaluation and Approval Repository
EPA	U.S. Environmental Protection Agency
FY	Fiscal Year
OCFO	Office of the Chief Financial Officer
OIG	Office of Inspector General
OMB	Office of Management and Budget

Cover image: Graphic illustrating the EPA's DATA Broker System files going into USASpending.gov. (EPA OIG image)

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At a Glance

Why We Did This Review

We performed this audit to assess the completeness, timeliness, quality and accuracy of fiscal year (FY) 2017 second quarter financial award data submitted for publication on USASpending.gov within the U.S. Environmental Protection Agency's (EPA's) Office of the Chief Financial Officer (OCFO), and to assess the EPA's implementation and use of the governmentwide financial data standards established by the Office of Management and Budget (OMB) and the Treasury.

The Digital Accountability and Transparency Act of 2014 (DATA Act) requires the Inspector General to review a statistically valid sample of the spending data submitted under the act by the EPA and to assess the completeness, timeliness, quality and accuracy of the data sampled and the implementation and use of the data standards.

This report addresses the following:

- *Operating efficiently and effectively.*

Send all inquiries to our public affairs office at (202) 566-2391 or visit www.epa.gov/oig.

Listing of [OIG reports](#).

EPA Reported Its Fiscal Year 2017 Second Quarter Financial and Award Data in Accordance With the DATA Act

What We Found

The EPA assessed the accuracy, completeness, quality and timeliness of the FY 2017 second quarter financial and award data submitted for publication on USASpending.gov. The EPA also implemented governmentwide financial data standards established by OMB and the Treasury.

The DATA Act requires the EPA to report and display accurate financial and award data on USASpending.gov.

The EPA complied with OMB Memorandum M-17-04 by certifying that it was in compliance with OMB guidance in providing reasonable assurance that internal controls support the reliability and validity of account-level and award-level data reported on USASpending.gov.

The EPA stated in its Data Act Assurance Statement and its DATA Act Evaluation and Approval Repository Statement that, beginning in FY 2017, the EPA processed financial transactions in accordance with the DATA Act requirements. We noted that historical program activity and budget class levels did not align with DATA Act reporting requirements, and therefore were not being reported in accordance with OMB and Treasury guidance. However, the DATA Act Evaluation and Approval Repository tool recently created by the EPA, as discussed in the "Noteworthy Achievements" section below, resolved this issue. Therefore, no recommendations are being made.

Noteworthy Achievements

The EPA recently created a tool known as the DATA Act Evaluation and Approval Repository, which migrates required reporting data from EPA systems by validating and submitting formatted files to the Treasury. Using the tool, the EPA validated the data and generated the DATA Act files in the acceptable format that were submitted through the Treasury's DATA Act Broker.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

THE INSPECTOR GENERAL

November 9, 2017

MEMORANDUM

SUBJECT: EPA Reported Its Fiscal Year 2017 Second Quarter Financial and Award Data in Accordance With the DATA Act
Report No. 18-P-0037

FROM: Arthur A. Elkins Jr. 

TO: David Bloom, Acting Chief Financial Officer

This is our report on the subject audit conducted by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). The project number for this audit was OA-FY17-0185. This report represents the opinion of the OIG and does not necessarily represent the final EPA position.

The Office of Technology Solutions, within the Office of the Chief Financial Officer, oversees the EPA's implementation of the DATA Act.

Action Required

This report contains no recommendations and you are not required to respond to this report. However, if you submit a response, it will be posted on the OIG's public website, along with our memorandum commenting on your response. Your response should be provided as an Adobe PDF file that complies with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended. The final response should not contain data that you do not want to be released to the public; if your response contains such data, you should identify the data for redaction or removal along with corresponding justification.

We will post this report to our website at www.epa.gov/oig.

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Purpose

We audited the fiscal year (FY) 2017 second quarter financial and award data under the Digital Accountability and Transparency Act of 2014 (DATA Act), which the U.S. Environmental Protection Agency (EPA) submitted for publication on USASpending.gov. This included a review of the appropriation account file, the object class and program activity file, and the award financial file. Our audit was conducted to assess the completeness, timeliness, quality and accuracy of the FY 2017 second quarter data submitted for publication on USASpending.gov, and to assess the EPA's implementation and use within the Office of Chief Financial Officer (OCFO) of the governmentwide financial data standards established by the Office of Management and Budget (OMB) and Treasury.

Background

DATA Act

The DATA Act (P.L. 113-101), signed by the President on May 9, 2014, Section 4, DATA Standards, requires federal agencies to report financial and award data in accordance with the established governmentwide financial data standards. In May 2015, the OMB and the Treasury published 57 data definition standards and required federal agencies to report financial data in accordance with these standards beginning January 2017. Once submitted, the data is to be displayed on USASpending.gov for taxpayers and policy makers.

The DATA Act also requires the Office of Inspector General (OIG) of each federal agency to review a statistically valid sample of the spending data submitted by its federal agency and to submit to Congress a publicly available report assessing the completeness, timeliness, quality and accuracy of the data sampled and the implementation and use of the governmentwide financial data standards by the federal agency.

OMB Guidance

OMB Memorandum M-15-12, *Increasing Transparency of Federal Spending by Making Federal Spending Data Accessible, Searchable, and Reliable*, dated May 8, 2015, the background section (page 1 of 8) provides guidance to federal agencies on current reporting requirements pursuant to the Federal Funding Accountability and Transparency Act, as well as new requirements per the DATA Act.

OMB Management Procedures Memorandum 2016-03, *Additional Guidance for DATA Act Implementation: Implementing Data-Centric Approach for Reporting Federal Spending Information*, dated May 3, 2016 (page 1 of 8), provides

additional guidance to federal agencies on reporting federal appropriations account summary-level and federal award-level data to USASpending.gov.

OMB Memorandum M-17-04, *Additional Guidance for DATA Act Implementation: Further Requirements for Reporting and Assuring Data Reliability*, dated November 4, 2016 (page 1 of 11), further specifies responsibilities for reporting financial information for awards involving intragovernmental transfers, guidance for reporting financial assistance award records containing personally identifiable information, and guidance for agencies to provide the Senior Accountable Official assurance over quarterly submissions to USASpending.gov.

Council of the Inspectors General on Integrity and Efficiency Strategy

The IG Guide to Compliance Under the DATA Act, dated February 27, 2017, states that The Council of the Inspectors General on Integrity and Efficiency (CIGIE) identified a timing anomaly with oversight requirements in the DATA Act. The DATA Act specified that the first OIG reports were due November 2016, but federal agencies were not required to report spending data until May 2017. To address this reporting anomaly, CIGIE did the following:

- Encouraged the federal OIG Community to undertake DATA Act “readiness reviews” at their respective agencies well in advance of the first November 2017 report. On December 2, 2016, we issued Report No. 17-P-0050, *Status of EPA’s Implementation of the DATA Act*.
- Indicated that OIGs should provide Congress with their first required report in November 2017, a 1-year delay from the statutory due date, with two subsequent reports following on a 2-year cycle.

On December 22, 2015, CIGIE’s chair issued a letter memorializing the strategy and communicated it to the Senate Committee on Homeland Security and Governmental Affairs, and the House Committee on Oversight and Government Reform. That letter is in Appendix A.

Responsible Offices

The EPA’s Office of Technology Solutions, within the OCFO, maintains responsibility over EPA implementation of the DATA Act. Other EPA offices involved in implementing the DATA Act include OCFO’s Office of the Controller and Office of Budget, the EPA’s Office of Administration and Resources Management, and the EPA’s Office of Environmental Information.

Noteworthy Achievements

The EPA developed the DATA Act Evaluation and Approval Repository (DEAR) tool as an application solution for the DATA Act. The DEAR tool serves as the EPA's data quality management application for the DATA Act elements required by OMB and Treasury. The DEAR tool extracts, transforms, prepares, fully captures and accurately reports the DATA Act files (appropriations account file, object class and program activity file, and award financial file) for submission to the DATA Act Broker System.

Scope and Methodology

Our responsibility was to audit the spending data submitted under the DATA Act by the EPA, and to submit to Congress and make publicly available a report assessing the completeness, timeliness, quality and accuracy of the data and the implementation and use of data standards by the EPA.

We conducted this audit from April through November 2017 in accordance with generally accepted government auditing standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We tested FY 2017, second quarter financial and award data submitted to the DATA Act Broker System to assess the completeness, timeliness, quality and accuracy of the data submitted for publication on USASpending.gov. We used dollar unit sampling to select award financial transactions from a universe/population of bankcard, contracts, grants and miscellaneous categories.

Scope Limitation of Data Reporting Issues

In planning and performing our audit, we assessed the award financial transaction information in Compass Financials, the agency's accounting system. We did not test all internal controls over Compass from which we obtained financial data, but relied on internal control test work conducted during the EPA's FY 2016 financial statement audit. The FY 2016 A-123 analysis did not identify any internal control weaknesses related to the DATA Act.

In October 2017, the Treasury's Government-wide DATA Act Program Management Office officials confirmed that they were aware that the DATA Act Broker System currently extracts and reports inaccurately. A Treasury official stated that the issue will be resolved once the DATA Act Information Model Schema version 1.1 is implemented during fall 2017. We could not evaluate the

reasonableness of Treasury's planned corrective action because the Treasury's implementation had not yet occurred.

Prior Audit Coverage

Prior EPA OIG Report No. 17-P-0050, *Status of EPA's Implementation of the DATA Act*, issued December 2, 2016, found that the EPA has taken steps to implement the DATA Act. The EPA identified key risks to the DATA Act implementation, such as linking award identification among the EPA's financial and procurement systems; submitting complete data files to Treasury; timing differences, data inconsistencies and reconciling data between the EPA internal and external systems; and funding to support the consolidation and preparation of agency data for reporting under the DATA Act. The EPA identified mitigations to address these risks. Since that implementation plan was designed for the EPA to meet the statutory deadline with a partial data submission, we had no recommendations.

In addition, the U.S. Government Accountability Office issued various reports regarding the DATA Act:

- *As Reporting Deadline Nears, Challenges Remain That Will Affect Data Quality* (GAO-17-496), issued April 28, 2017.
- *Oversight Needed to Address Underreporting and Inconsistencies on Federal Award Website* (GAO-14-476), issued June 30, 2014.
- *Implementation of the Federal Funding Accountability and Transparency Act of 2006* (GAO-10-365), issued March 12, 2010.

Results of Audit

We audited the spending data submitted under the DATA Act by the EPA. We found that the EPA assessed the completeness, quality, timeliness and accuracy of the FY 2017 second quarter financial and award data submitted for publication on USASpending.gov. From our work on the appropriation account file, object class and program activity file, and award financial file, we found the following:

- The EPA's appropriation account file included similar information in OMB's SF-133 report on budget execution and budgetary resources. The SF-133 is a quarterly report with information on the sources of budget authority and the status of budgetary resources by individual fund or appropriation.
- The EPA adequately reconciled the appropriation account file and the object class and program activity file. Also, the EPA's object class and program activity file has the proper combination of program activities and object classes, consistent with OMB Circular A-11, *Preparation, Submission, and*

Budget Execution of the Budget. An object class is goods or services or items purchased (such as supplies, rent or equipment); program activity represents activity, project or other programmatic distinctions.

- The EPA's award financial file's data reconciled to the object class and program activity file, award and awardee procurement award and financial assistance files, and additional awardee attribute file. The EPA's Data Act Assurance Statement certified "the agency's compliance with OMB guidance of providing reasonable assurance that our internal controls support the reliability and validity of the agency account-level and award-level data."
- The EPA implemented governmentwide financial data standards established by OMB and Treasury for the FY 2017 second quarter financial and award data. Although the EPA's historical program activity and budget class levels did not align with the DATA Act reporting requirements and were not in accordance with OMB and Treasury guidance, the recent creation of the DEAR tool has resolved this issue, and no recommendations are being made.

Agency Response

The EPA agreed with our report and did not provide written comments.

CIGIE DATA Act Letter



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

December 22, 2015

The Honorable Ron Johnson
Chairman
The Honorable Thomas Carper
Ranking Member
Committee on Homeland Security
and Government Affairs
United States Senate Washington, D.C.

The Honorable Jason Chaffetz
Chairman
The Honorable Elijah Cummings
Ranking Member
Committee on Oversight Government Reform
U.S. House of Representatives
Washington, D.C.

Dear Mr. Chairmen and Ranking Members:

The Council of the Inspectors General on Integrity and Efficiency (CIGIE) recognizes and appreciates your leadership on issues of Government transparency and accountability. In particular, we believe the enactment last year of the Digital Accountability and Transparency Act of 2014 (DATA Act) will significantly improve the quality of Federal spending data available to Congress, the public, and the accountability community if properly implemented. To make sure this happens, the DATA Act provides for strong oversight by way of the Federal Inspectors General and the Government Accountability Office (GAO). In particular, the DATA Act requires a series of reports from each to include, among other things, an assessment of the completeness, timeliness, quality, and accuracy of data submitted by agencies under the DATA Act.

I am writing this letter on behalf of CIGIE to inform you of an important timing anomaly with the oversight requirement for Inspectors General in the DATA Act. Your staffs have been briefed on this timing anomaly, which affects the first Inspector General reports required by the DATA Act. Specifically, the first Inspector General reports are due to Congress in November 2016. However, the agencies we oversee are not required to submit spending data in compliance with the DATA Act until May 2017. As a result, Inspectors General would be unable to report on the spending data submitted under the Act, as this data will not exist until the following year. This anomaly would cause the body of reports submitted by the Inspectors General in November 2016 to be of minimal use to the public, the Congress, the Executive Branch, and others.

To address this reporting date anomaly, the Inspectors General plan to provide Congress with their first required reports in November 2017, a one-year delay from the due date in statute, with subsequent reports following on a two-year cycle, in November 2019 and November 2021. We believe that moving the due dates back one year will enable the Inspector General to meet the intent of the

oversight provisions in the DATA Act and provide useful reports for the public, the Congress, the Executive Branch, and others.

Although we think the best course of action is to delay the Inspector General reports, CIGIE is encouraging the Federal Inspector General Community to undertake DATA Act "readiness reviews" at their respective agencies well in advance of the first November 2017 report. Through a working group, CIGIE has developed guidance for these reviews. I am pleased to report that several Inspectors General have already begun reviews at their respective agencies, and many Inspectors General are planning to begin reviews in the near future. We believe that these reviews, which are in addition to the specific oversight requirements of the Act, will assist all parties in helping to ensure the success of the DATA Act implementation.

We have kept GAO officials informed about our plan to delay the first Inspector General reports for one year, which they are comfortable with, and our ongoing efforts to help ensure early engagement through Inspector General readiness reviews.

Should you or your staffs have any questions about our approach or other aspects of our collective DATA Act oversight activities, please do not hesitate to contact me at (202) 514-3435.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael E. Horowitz", with a stylized flourish at the end.

Michael E. Horowitz
Chair, Council of the Inspectors General on Integrity and Efficiency
Inspector General, U.S. Department of Justice

cc: The Honorable David Mader, Controller, OMB
The Honorable Gene Dodaro, Comptroller General, GAO

Distribution

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Deputy Chief of Staff for Operations
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Agency Audit Follow-Up Coordinator
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Audit Follow-Up Coordinator, Office of the Chief Financial Officer
Audit Follow-Up Coordinator, Office of Administration and Resources Management

To: Cleland-Hamnett, Wendy[Cleland-Hamnett.Wendy@epa.gov]; Bloom, David[Bloom.David@epa.gov]
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From: OIG News
Sent: Mon 7/10/2017 1:30:26 PM
Subject: OIG Report: "Fiscal Years 2015 and 2014 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund"
[_epaoig_20170710-17-F-0314_cert.pdf](#)

Attached is the EPA Office of Inspector General (OIG) report, *Fiscal Years 2015 and 2014 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund* (Report No. 17-F-0314). This report will be available to the public on the OIG's website at www.epa.gov/oig.



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL



Financial Management

Fiscal Years 2015 and 2014 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund

Report No. 17-F-0314

July 10, 2017



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Abbreviations

EPA	U.S. Environmental Protection Agency
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FMFIA	Federal Managers' Financial Integrity Act
FY	Fiscal Year
OIG	Office of Inspector General
OMB	Office of Management and Budget
U.S.C.	United States Code

Cover photo: Pesticides being applied. (EPA photo)

Are you aware of fraud, waste or abuse in an EPA program?

EPA Inspector General Hotline

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Learn more about our [OIG Hotline](#).

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At a Glance

Why We Did This Review

The Food Quality Protection Act requires that we perform an annual audit of the financial statements for the Pesticides Reregistration and Expedited Processing Fund, known as the FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) Fund.

The U.S. Environmental Protection Agency (EPA) is responsible for reassessing the safety of older pesticide registrations against modern health and environmental testing standards. To expedite this reregistration process, Congress authorized the EPA to collect fees from pesticide manufacturers. The fees are deposited into the FIFRA Fund. Each year, the agency prepares financial statements that present financial information about the fund, along with information about the EPA's progress in reregistering pesticides.

This report addresses the following EPA goal or cross-agency strategy:

- *Embracing EPA as a high-performing organization.*

Send all inquiries to our public affairs office at (202) 566-2391 or visit www.epa.gov/oig.

Listing of [OIG reports](#).

Fiscal Years 2015 and 2014 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund

Disclaimer of Opinion

We rendered a disclaimer of opinion on the FIFRA Fund financial statements for fiscal years (FYs) 2015 and 2014, meaning that we were unable to obtain sufficient evidence to determine if they were fairly presented and free of material misstatement.

Due to the material weakness in internal controls noted, the agency cannot provide reasonable assurance that financial data provided for the FIFRA Fund accurately reflect the agency's financial activities and balances.

Internal Control Material Weakness Noted

We noted a material weakness in that the EPA cannot adequately support its FY 2015 FIFRA Fund costs. The EPA's Office of Pesticide Programs receives its funding from both fees paid by pesticide manufacturers and amounts appropriated by Congress. In FY 2015, the EPA allocated its pesticide funding to use appropriated amounts, which would expire, and retained funding received from fees. Therefore, significant payroll amounts paid from appropriations were not charged directly to the FIFRA Fund or other pesticide programs. This resulted in the loss of the audit trail for reporting separate costs and liabilities for the FIFRA Fund and other pesticide programs.

The EPA has taken corrective actions based on what we found during our prior FIFRA Fund financial statements audit report; accordingly, we are making no additional recommendations. In October 2016, the agency implemented a new enhancement for transactions that will commence in FY 2017. However, this does not impact or correct the material weakness for the FY 2015 statements, nor the disclaimer of opinion.

Compliance With Applicable Laws and Regulations

We did not identify any noncompliance that would result in a material misstatement to the audited financial statements.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
INSPECTOR GENERAL

July 10, 2017

MEMORANDUM

SUBJECT: Fiscal Years 2015 and 2014 Financial Statements for the
Pesticides Reregistration and Expedited Processing Fund
Report No. 17-F-0314

FROM: Paul C. Curtis, Director
Financial Statement Audits

A handwritten signature in black ink, appearing to read "Paul C. Curtis".

TO: Wendy Cleland-Hamnett, Acting Assistant Administrator
Office of Chemical Safety and Pollution Prevention

David Bloom, Acting Chief Financial Officer

This is our report on the audit of the U.S. Environmental Protection Agency's (EPA's) fiscal years 2015 and 2014 financial statements for the Pesticides Reregistration and Expedited Processing Fund, conducted by the EPA Office of Inspector General (OIG). The project number for this audit was OA-FY16-0080. This report contains findings that describe the problems the OIG has identified and corrective actions the OIG recommends. This report represents the opinion of the OIG and does not necessarily represent the final EPA position.

The offices with primary jurisdiction over the issues discussed in this report are the Office of Pesticide Programs within the Office of Chemical Safety and Pollution Prevention, and the Office of the Controller within the Office of the Chief Financial Officer.

Action Required

Because this report contains no recommendations, you are not required to respond to this report. However, if you submit a response, it will be posted on the OIG's public website, along with our memorandum commenting on your response. Your response should be provided as an Adobe PDF file that complies with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended. The final response should not contain data that you do not want to be released to the public; if your response contains such data, you should identify the data for redaction or removal along with corresponding justification.

We will post this report to our website at www.epa.gov/oig.

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Inspector General's Report on the Fiscal Years 2015 and 2014 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund

The Administrator
U.S. Environmental Protection Agency

Report on the Financial Statements

We have audited the accompanying financial statements of the Pesticides Reregistration and Expedited Processing Fund, known as the FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) Fund, which comprise the balance sheet as of September 30, 2015, and September 30, 2014, and the related statements of net cost, changes in net position, and statement of budgetary resources for the years then ended; and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America. This includes the design, implementation and maintenance of internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on conducting the audit in accordance with generally accepted government auditing standards; the standards applicable to financial statements contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin 15-02, *Audit Requirements for Federal Financial Statements*. Because of the matter described in the Basis for Disclaimer of Opinion section, however, we were not able to obtain sufficient, appropriate audit evidence to provide a basis for an audit opinion.

Basis for Disclaimer of Opinion

The U.S. Environmental Protection Agency (EPA) cannot adequately support payroll liabilities on the FIFRA Fund's Balance Sheet as of September 30, 2015 and 2014; and Income/Expense from other appropriations on the statements of the FIFRA Fund's Net Costs and Changes in Net Position for the years ended September 30, 2015 and 2014.

In fiscal years (FY) 2015 and 2014, the EPA allocated its pesticides appropriated funding to pay for payroll costs. By paying significant payroll amounts from appropriations versus from fees collected by the FIFRA Fund, the EPA lost the audit trail to properly support how much of the FIFRA payroll expenses were paid for by appropriations. We were unable to satisfy ourselves by other audit procedures concerning the adequacy of the amounts allocated, consistency of application, or reasonableness of the payroll expenses between the FIFRA Fund and the EPA's other pesticide programs, including payroll accruals, as of and for the years ended September 30, 2015 and 2014. As a result, we were unable to determine whether any adjustments were necessary relating to payroll and related accounts, income/expense from other appropriations, and payroll liabilities.

Disclaimer of Opinion

Because of the significance of the matter described in the Basis for Disclaimer of Opinion section above, we have not been able to obtain sufficient, appropriate audit evidence to provide a basis for an audit opinion. Accordingly, we do not express an opinion on the FIFRA Fund's financial statements, and the related accompanying notes as of and for the years ended September 30, 2015 and 2014.

Report on Internal Control Over Financial Reporting

Opinion on Internal Control. In planning and performing our audit, we considered the EPA's internal control over financial reporting by obtaining an understanding of the agency's internal control, determining whether internal control had been placed in operation, assessing control risk, and performing tests of controls. We did this as a basis for designing our auditing procedures for the purpose of expressing an opinion on the financial statements and to comply with OMB audit guidance, not to express an opinion on internal control. Accordingly, we do not express an opinion on internal control over financial reporting nor on management's assertion on internal control included in Management's Discussion and Analysis. We limited our internal control testing to those controls necessary to achieve the objectives described in OMB Bulletin No. 15-02, *Audit Requirements for Federal Financial Statements*. We did not test all internal control relevant to operating objectives as broadly defined by the Federal Managers' Financial Integrity Act of 1982 (FMFIA).

Material Weakness and Significant Deficiencies. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be significant deficiencies. A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable

possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected in a timely basis. A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Because of inherent limitations in internal control, misstatements, losses or noncompliance may nevertheless occur and not be detected. We noted a certain matter discussed below and detailed in Attachment 1 and Prior Audit Coverage, involving the internal control and its operation that we consider to be material.

Material Weakness

The EPA cannot adequately support its FY 2015 FIFRA Fund costs. OMB policy states that basic financial statements include a Balance Sheet and Statement of Net Costs, and that the statement of net costs should include the net costs of operations. The EPA's Office of Pesticide Programs receives its funding both from fees paid by pesticide manufacturers and from amounts appropriated by Congress. In FY 2015, the EPA allocated its pesticide funding to use appropriated amounts, which would expire, and retained funding received from fees. Therefore, significant payroll amounts paid from appropriations were not charged directly to the FIFRA Fund or other pesticide programs. This resulted in the loss of the audit trail for reporting separate costs and liabilities for the FIFRA Fund and other pesticide programs. The EPA developed an allocation methodology to distribute costs funded by EPA appropriations back to the FIFRA Fund, but the methodology is based upon inconsistent charging of payroll costs between the FIFRA Fund and EPA appropriations.

Because the EPA cannot adequately support total FY 2015 FIFRA Fund costs and liabilities, and because we were unable to determine by other audit procedures the adequacy of amounts allocated, consistency of application, or reasonableness of net costs and liabilities, we disclaimed an opinion on the FIFRA Fund's FY 2015 financial statements. We consider the EPA's inability to support the FIFRA Fund payroll costs a material weakness.

Comparison of EPA's FMFIA Report With Our Evaluation of Internal Controls

OMB Bulletin No. 15-02, *Audit Requirements for Federal Financial Statements*, requires the OIG to compare material weaknesses disclosed during the audit with those material weaknesses reported in the agency's FMFIA report that relate to the financial statements, and identify material weaknesses disclosed by the audit that were not reported in the agency's FMFIA report. The agency's FMFIA report is prepared and submitted at the consolidated level, of which the FIFRA Fund is a component.

The agency did not report any material weaknesses at the consolidated level for FY 2015 that would impact the FIFRA Fund.

Tests of Compliance With Laws, Regulations, Contracts and Grant Agreements

The EPA management is responsible for complying with laws, regulations, contracts and grant agreements applicable to the agency. As part of obtaining a reasonable assurance as to whether the agency's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, including those governing the use of budgetary authority, regulations, contracts and grant agreements that have a direct effect on the determination of material amounts and disclosures in the FIFRA Fund financial statements. The objective of our audit, including our tests of compliance with applicable laws, regulations, contracts, and grant agreements, was not to provide an opinion on compliance with such provisions. Accordingly, we do not express such an opinion. We did not identify any noncompliance that would result in a material misstatement to the audited financial statements.

Management's Discussion and Analysis Section of the Financial Statements

Our audit work related to the information presented in the Management's Discussion and Analysis of the pesticide program included comparing the overview information with information in the EPA's principal financial statements for consistency. We did not identify any material inconsistencies between the information presented in the two documents.

Prior Audit Coverage

During our previous audit of the FIFRA financial statements—*Fiscal Years 2014 and 2013 Financial Statements for the Pesticides Reregistration and Expedited Processing Fund* (Report No. [16-F-0322](#)), issued September 22, 2016—we reported a material weakness regarding inadequate support of costs. Specifically, the EPA could not adequately support \$34 million of its FY 2014 FIFRA Fund costs. The EPA's Office of Pesticide Programs receives its funding both from fees paid by pesticide manufacturers and amounts appropriated by Congress. In FY 2014, the EPA allocated its pesticide funding to use appropriated amounts, which would expire, and retained funding received from fees. Therefore, significant payroll amounts paid from appropriations were not charged directly to the FIFRA Fund or other pesticide programs. This resulted in the loss of the audit trail for reporting separate costs and liabilities for the FIFRA Fund and other pesticide programs.

The agency has taken action to correct this weakness. As noted in the prior report, the agency agreed with our finding and believes that the timekeeping system's cost allocation enhancement will allow for the creation of an audit trail to capture costs incurred by the FIFRA Fund and other appropriations that support FIFRA-related activities. The agency implemented a new enhancement in October 2016. The enhancement is for transactions commencing in FY 2017, and does not impact or correct the material weakness, and the reason for the disclaimer of opinion, for the FY 2015 statements.

Also in our prior report of the FY 2014 statements, we noted an instance of noncompliance in that the EPA chose to significantly exceed the statutory target set out by FIFRA, resulting in noncompliance with laws and regulations. FIFRA requires the EPA to collect pesticide maintenance fees, to the extent practicable, of \$27.8 million for each of FYs 2013 through 2017.¹ In FY 2014, the EPA chose to collect \$28.6 million, \$800,000 over the established target. As noted in the prior report, the agency agreed with our recommendations and completed appropriate corrective actions. In October 2015, the office eliminated the practice of "averaging" to offset over-or under-collection of maintenance fees from previous years. The office set the per-product maintenance fee at an amount that is designed to collect the target amount of fees authorized by Congress.

Agency Comments

There are no recommendations in this report and the agency had no comments.



Paul C. Curtis
Certified Public Accountant
Director, Financial Statement Audits
Office of Inspector General
U.S. Environmental Protection Agency
July 6, 2017

¹ Codified at 7 U.S.C. § 136a-1(i)(C).

Material Weakness

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1 – EPA Cannot Adequately Support FIFRA Fund Costs

The EPA cannot adequately support its FY 2015 FIFRA Fund costs. OMB policy states that basic financial statements include a Balance Sheet and Statement of Net Costs, and that the statement of net costs should include the net costs of operations. The EPA's Office of Pesticide Programs receives its funding both from fees paid by pesticide manufacturers and from amounts appropriated by Congress. In FY 2015, the EPA allocated its pesticide funding to use appropriated amounts, which would expire, and retained funding received from fees. Therefore, significant payroll amounts paid from appropriations were not charged directly to the FIFRA Fund or other pesticide programs. This resulted in the loss of the audit trail for reporting separate costs and liabilities for the FIFRA Fund and other pesticide programs. The EPA developed an allocation methodology to distribute costs funded by EPA appropriations back to the FIFRA Fund, but the methodology is based upon inconsistent charging of payroll costs between the FIFRA Fund and EPA appropriations. Because the EPA cannot adequately support total FY 2015 FIFRA Fund costs and liabilities, and because we were unable to determine by other audit procedures the adequacy of amounts allocated, consistency of application, or reasonableness of net costs and liabilities, we disclaimed an opinion on FIFRA's FY 2015 financial statements. We consider the EPA's inability to support the FIFRA Fund payroll costs a material weakness.

FIFRA requires that a set of financial statements be prepared to provide an annual accounting of expenditures and collections. OMB Circular A-136 requires that these statements include a Statement of Net Costs, under which net costs of operations are reported. The FIFRA Fund's costs of operations are supported by several sources: maintenance fees, registration and reregistration fees, and EPA appropriations.

In FY 2015, the EPA allocated its pesticide funding to use appropriated amounts that would expire, and to retain funding received from fees. Therefore, significant payroll amounts were paid from appropriations and not charged directly to the FIFRA Fund. This resulted in the loss of the audit trail for reporting separate FIFRA Fund costs. The EPA adopted an allocation methodology to determine the amount of appropriated dollars used to support FIFRA and the EPA's other pesticide programs. However, this methodology is based upon inconsistent and arbitrary charging of the Office of Pesticide Programs' payroll costs between the FIFRA Fund and the EPA's other pesticide programs. The inconsistent and arbitrary charging makes the allocation base unreliable, and the methodology cannot be used to support the FIFRA operations costs. We consider the inability of the EPA to support FY 2015 FIFRA Fund costs to be a material weakness.

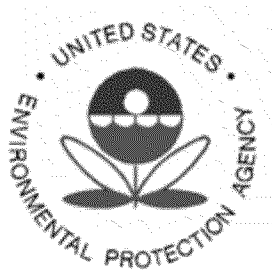
We did not determine payroll costs overall for the EPA's pesticide programs to be inaccurate. Our findings are limited to the specific allocation of appropriated amounts to cover payroll costs of the EPA's pesticide programs and accounting for those costs at the program level. At the program level (specifically, for the FIFRA Funds), the agency could not provide adequate support, and we could not audit the payroll costs for those funds paid for by appropriated amounts to opine on the adequacy of such amounts.

We previously reported on this issue in the FY 2014 FIFRA Fund Financial Statement audit report, and the agency agreed with this finding. In FY 2015, the EPA indicated it made

modifications to its accounting system, which purportedly will address this material weakness. The agency believed that the timekeeping system's cost allocation enhancement, which went live in October 2016, will allow for the creation of an audit trail to capture costs incurred by the FIFRA Fund and by other appropriations that support FIFRA-related activities

We make no recommendations regarding this finding.

**Fiscal Years 2015 and 2014 Pesticides Reregistration and Expedited
Processing Fund
Financial Statements**



*Produced by the U.S. Environmental Protection Agency
Office of the Chief Financial Officer
Office of Controller*

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EPA's FY 2015 Annual FIFRA Financial Statements

Management's Discussion and Analysis

EPA's FY 2015 Annual FIFRA Financial Statements

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act (FQPA) of 1996, the EPA's Pesticide Program registers new pesticides and re-evaluates existing pesticides to ensure that they can be used safely and that levels of residue in food and animal feed are safe (there is a reasonable certainty of no harm). The agency must also conclude that, when used in accordance with labeling and common practices, the product will not generally cause unreasonable adverse effects on the environment.

In accordance with FIFRA and FFDCA, the pesticide program administers the Pesticides Reregistration and Expedited Processing Fund (FIFRA Fund). As of 1996, fees for reregistration are deposited to the FIFRA account, which is available to the EPA without further appropriation.

Under the FFDCA, EPA sets "tolerances," or maximum residue levels. If a pesticide is intended to be used in a manner that may result in residues in food or animal feed, the applicant must petition EPA for establishment of a tolerance (or exemption from a tolerance). Tolerances are set at levels that ensure a reasonable certainty of no harm from the potential pesticide residues in food combined with other non-occupational exposure.

The passage of the Food Quality Protection Act (FQPA) in 1996 provided for additional fees to support reregistration activities and required tolerances to be reassessed as part of the reregistration program. Effective January 1997, all fees related to tolerance activities were deposited in the FIFRA Fund. With passage of the Pesticide Registration Improvement Act (PRIA 1) of 2003 and amendments in 2007 and 2012, no additional tolerance petition fees are to be deposited to the FIFRA Fund through FY 2017.

The Pesticide Reregistration and Registration Review Programs

EPA is responsible for re-evaluating the safety of existing pesticides. Since the original pesticide legislation of 1947, scientific analysis techniques have grown much more precise and sophisticated and health and environmental standards have become more stringent. With the 1988 amendments to FIFRA (FIFRA '88), Congress mandated the accelerated reregistration of all products registered prior to November 1, 1984. The statute required completion of Reregistration Eligibility Decisions (REDs) and tolerance reassessment for all food-use active ingredients by 2006. Non-food-use active ingredient REDs were to be complete by October 3, 2008.

All REDs for the active ingredients have been completed. A RED is a decision by the Agency defining whether products containing the pesticide active ingredient are eligible or ineligible for reregistration. Following the issuance of the RED, the registrant must comply with the RED by submitting product-specific data and revised labels for each product containing that active ingredient, or cancel the product registration. Based on its review of the data, if the product has met all the requirements, the EPA then reregisters the product.

The FQPA introduced a new program called **registration review** to replace EPA's pesticide reregistration and tolerance reassessment programs as those programs were completed. Unlike earlier review programs, registration review applies to all registered pesticides. EPA reviews each registered pesticide every 15 years to determine whether it still meets the FIFRA standard for registration. In this way, the Agency ensures that all registered pesticides do not pose unreasonable risks to human health or the environment when used as directed on product labeling.

Congress authorized the collection of maintenance fees from manufacturers to supplement appropriated funds to support reregistration and registration review programs. Maintenance fees were structured under PRIA 3 to generate approximately \$27.8 million per year for five years (FY'13 – FY'17). Maintenance fees are assessed on a product-by-product basis with caps on the maximum number of products for which any single company would have to pay fees, as well as fee reductions for qualified small businesses. Registrations for minor use registrations and public health pesticides are also eligible for waivers and/or refunds of maintenance fees. Fees are deposited into the FIFRA Revolving Fund. By statute, excess monies in the FIFRA Fund may be invested. Between 11.1% and 12.5% of collected maintenance fees each year are used to support inert ingredient clearances as well as expedited processing of fast track amendments. Approximately \$800,000 of collected maintenance fees each year are used to enhance specified IT systems.

FQPA also reauthorized collection of maintenance fees through 2001 to complete the review of older pesticides to ensure they meet current standards (increasing annual fees from \$14 million to \$16 million per year through 2000) and required all tolerances (over 9,700) to be reassessed by 2006. The 2002 appropriations bill extended maintenance fees to \$17 million for another year, and the 2003 appropriations extended them to \$21.5 million for that year. Passage of PRIA 1 in

FY 2004 extended maintenance fees through FY 2008 (with annual fees totaling \$26 million in FY 2004; \$27 million in FY 2005-2006; \$21 million in FY 2007; and \$15 million in FY 2008). Passage of the Pesticide Registration Improvement Renewal Act (PRIA 2) in October 2007 extended maintenance fees through FY 2012 (\$22 million each FY). PRIA 2 provided for maintenance fees to offset the costs of registration review beginning in FY 2008.

Enforcement and Compliance Assurance Program Description

The Pesticide Enforcement and Compliance Assurance Program focuses on pesticide product and user compliance. These include problems relating to pesticide worker safety, certification and training of applicators, ineffective antimicrobial products, food safety, adverse effects, risks of pesticides to endangered species, pesticide containers and containment facilities, and e-commerce and misuse. The enforcement and compliance assurance program provides compliance assistance to the regulated community through its National Agriculture Compliance Assistance Center, seminars, guidance documents, brochures, and other forms of communication to ensure knowledge of and compliance with environmental laws.

EPA's grant support to state and tribal pesticide programs emphasizes its commitment to maintaining a strong compliance and enforcement presence. Agency FIFRA Cooperative Agreement priorities for FY 2015 – FY 2017 include the enforcement of worker protection standards and pesticide applicator certification requirements; compliance monitoring and enforcement activities related to the pesticide container and containment rules, the revised soil fumigant labels, compliance of supplemental distributor products, contract manufacturing and program performance reporting. Core program activities include inspections of producing establishments; dealers/distributors/retailers; e-commerce; imports and exports, and pesticide misuse. Additionally, through Cooperative Agreements we support inspector training and training for state and tribal senior managers, scientists, and supervisors.

Highlights and Accomplishments

Tolerance Performance Measures

As mandated by PRIA 3, no Tolerance fees were collected and deposited to the FIFRA Fund in FY 2015.

Measure: Tolerance re-evaluations.

Results: The tolerance reassessment program was completed in FY 2007. EPA completed 9,721 tolerance reassessment decisions, addressing 100% of the 9,721 tolerances that required reassessment. Therefore, no further tolerance reassessment decisions were needed or completed in FY 2015.

EPA's FY 2015 Annual FIFRA Financial Statements

Reregistration (FIFRA) Financial Perspective

During FY 2015, the Agency's obligations charged against the FIFRA Fund for the cost of the reregistration programs and other authorized pesticide programs were approximately \$20.2 million and 95 work-years. Of this amount, OPP obligated \$13.0 million for personnel compensation and benefits (PC&B).

Appropriated funds are used in addition to FIFRA revolving funds. In FY 2015, the Enacted Operating Plan included approximately \$34.9 million in appropriated funds for reregistration program activities.

The Fund has two types of receipts: fee collections and interest earned on investments. Of the \$27.7 million in FY 2015 receipts, more than 99.9% were fee collections. Total unobligated balance in the fund at the end of FY 2015 was \$15.9 million.

Reregistration Program (FIFRA) Performance Measures

The following measures support the program's strategic goals ensuring the safety of chemicals and Pollution Prevention.

Measure 1: Number of Reregistration Eligibility Documents (REDs) completed.

Results: All Reregistration Eligibility Decisions (REDs) were completed by the end of FY 2008. Of the 613 chemical cases (representing approximately 1,150 pesticide active ingredients) that initially were subject to reregistration, 384 cases have completed REDs. An additional 229 reregistration cases were voluntarily canceled before EPA invested significant resources in developing REDs. All 613 reregistration cases (100%) completed the reregistration eligibility decision making process by the end of FY 2008.

Measure 2: Number of products reregistered, canceled, or amended. Over 20,000 products are or eventually will be subject to product reregistration. Many products, however, contain more than one active ingredient. Since products are reassessed separately for each active ingredient, EPA will conduct approximately 38,000 product reviews.

Results: In FY 2015, EPA completed the following actions: 26 reregistration decisions; 197 amendment decisions; 245 product cancellations (many of these cancelled products have multiple active ingredients, accounting for 432 decisions); and no suspension decisions. The Agency's goal in FY 2016 is to complete 550 product reregistration actions

Measure 3: Progress in Reducing the Number of Unreviewed, Required Reregistration Studies.

Results: EPA completed the last REDs for conventional pesticides in 2008, so all studies necessary to make reregistration eligibility decisions have been reviewed. REDs are complete for antimicrobial pesticides as well, but the program continues to issue post-RED DCIs and thus will have studies to review.

Measure 4: Number and Type of DCIs Issued to Support Product Reregistration by Active Ingredient.

Results: Regarding Data Call-In notices (DCIs) under FIFRA section 3(c)(2)(B) to support product reregistration for pesticide active ingredients included in REDs, EPA completed the last remaining REDs and reported DCI information for the conventional pesticide REDs in FY 2008. In FY 2015, the program issued 66 post-RED DCIs for 36 antimicrobial pesticide active ingredients for both product specific and generic data. The Agency's goal in FY 2016 is to issue 35 additional post-RED DCIs for 23 antimicrobial pesticide active ingredients.

Measure 5: Future Schedule for Reregistrations.

The last REDs were completed in FY 2008; therefore, there are no remaining candidates for future decisions.

PRINCIPAL FINANCIAL STATEMENTS

EPA's FY 2015 Annual FIFRA Financial Statements

Principal Financial Statements

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United States Environmental Protection Agency
FIFRA
Balance Sheet
As of September 30, 2015 and 2014
(Dollars in Thousands)

	<u>FY 2015</u>	<u>FY 2014</u>
ASSETS		
Intragovernmental:		
Fund Balance With Treasury (Note 2)	\$ 22,400	16,480
Other (Note 3)	89	-
Total Intragovernmental	<u>22,489</u>	<u>16,480</u>
Property, Plant & Equipment, Net (Note 4)	378	408
Total Assets	<u>22,867</u>	<u>16,888</u>
LIABILITIES		
Intragovernmental:		
Accounts Payable and Accrued Liabilities	129	70
Other (Note 5)	178	271
Total Intragovernmental	<u>307</u>	<u>341</u>
Accounts Payable & Accrued Liabilities	467	323
Payroll and Benefits Payable (Note 6)	1,045	2,762
Other (Note 5)	26,382	20,109
Total Liabilities	<u>28,201</u>	<u>23,535</u>
NET POSITION		
Unexpended Appropriations - Funds from Dedicated Collections	9	-
Cumulative Results of Operations - Funds from Dedicated Collections	<u>(5,343)</u>	<u>(6,647)</u>
Total Net Position	(5,334)	(6,647)
Total Liabilities and Net Position	\$ <u>22,867</u>	<u>16,888</u>

The accompanying notes are an integral part of these financial statements.

EPA's FY 2015 Annual FIFRA Financial Statements

United States Environmental Protection Agency
FIFRA
Statement of Net Cost
For the Fiscal Years Ending September 30, 2015 and 2014
(Dollars in Thousands)

	<u>FY 2015</u>	<u>FY 2014</u>
COSTS		
Gross Costs (Note 9)	\$ 20,821	22,836
Expenses from Other Appropriations (Note 7)	<u>45,054</u>	<u>33,652</u>
Total Costs	65,875	56,488
Less:		
Earned Revenue (Note 8 and 9)	<u>21,384</u>	<u>23,306</u>
NET COST OF OPERATIONS (Note 9)	\$ <u>44,491</u>	<u>33,182</u>

EPA's FY 2015 Annual FIFRA Financial Statements

United States Environmental Protection Agency
FIFRA
Statement of Changes in Net Position
For the Fiscal Years Ending September 30, 2015 and 2014
(Dollars in Thousands)

	<u>FY 2015</u>	<u>FY 2014</u>
CUMULATIVE RESULTS OF OPERATIONS:		
NET POSITION - BEGINNING OF PERIOD	\$ <u>(6,647)</u>	<u>(7,383)</u>
Beginning Balances, as Adjusted	(6,647)	(7,383)
BUDGETARY FINANCING SOURCES:		
Appropriations Used	(9)	-
Nonexchange Revenue - Securities Investment	1	2
Income from Appropriations (Note 7)	<u>45,054</u>	<u>33,652</u>
Total Budgetary Financing Sources	45,046	33,654
OTHER FINANCING SOURCES (NON-EXCHANGE)		
Imputed Financing Sources	<u>750</u>	<u>264</u>
Total Other Financing Sources	750	264
Net Cost of Operations	(44,491)	(33,182)
Net Change	1,304	736
CUMULATIVE RESULTS OF OPERATIONS	<u>(5,343)</u>	<u>(6,647)</u>
	<u>FY 2015</u>	<u>FY 2014</u>
Unexpended Appropriations:		
Budgetary Financing Sources:		
Appropriations Used	<u>9</u>	<u>-</u>
Total Budgetary Financing Sources	9	-
Total Unexpended Appropriations	9	-
TOTAL NET POSITION	\$ <u>(5,334)</u>	<u>(6,647)</u>

The accompanying notes are an integral part of these financial statements.

EPA's FY 2015 Annual FIFRA Financial Statements

United States Environmental Protection Agency
FIFRA
Statement of Budgetary Resources
For the Fiscal Years Ending September 30, 2015 and 2014
(Dollars in Thousands)

	FY 2015	FY 2014
BUDGETARY RESOURCES		
Unobligated balance, brought forward, October 1:	\$ 10,518	7,639
Unobligated Balance Brought Forward, October 1, as adjusted	10,518	7,639
Recoveries of prior year unpaid obligations	35	-
Unobligated balance from prior year budget authority, net	10,553	7,639
Appropriations (discretionary and mandatory)	(28)	(2,002)
Spending Authority from offsetting collection (discretionary and mandatory)	27,671	28,630
Total Budgetary Resources	38,196	34,267
 STATUS OF BUDGETARY RESOURCES		
Obligations Incurred	22,223	23,749
Unobligated Balance, end of year:		
Apportioned	15,973	3,022
Unapportioned	-	7,496
Total Unobligated balance, end of period	15,973	10,518
Total Status of Budgetary Resources	38,196	34,267
 CHANGE IN OBLIGATED BALANCE		
Unpaid Obligations:		
Unpaid obligations, brought forward, October 1 (gross)	3,959	4,151
Obligations incurred, net	22,223	23,749
Outlays (gross)	(21,751)	(23,941)
Recoveries of prior year unpaid obligations	(36)	-
Unpaid obligations, end of year (gross)	4,395	3,959
 Memorandum entries:		
Obligated balance, start of year	3,959	4,151
Obligated balance, end of year (net)	4,395	3,959
 BUDGET AUTHORITY AND OUTLAYS, NET:		
Budget authority, gross (discretionary and mandatory)	27,643	26,628
Actual offsetting collections (discretionary and mandatory)	(27,671)	(28,630)
Budget Authority, net (discretionary and mandatory)	(28)	(2,002)
 Outlays, gross (discretionary and mandatory)	21,751	23,941
Actual offsetting collections (discretionary and mandatory)	(27,671)	(28,630)
Outlays, net (discretionary and mandatory)	(5,920)	(4,689)
Agency outlays, net (discretionary and mandatory)	\$ (5,920)	(4,689)

The accompanying notes are an integral part of these financial statements.

EPA's FY 2015 Annual FIFRA Financial Statements

United States Environmental Protection Agency
FIFRA
Notes to Financial Statements
For the Fiscal Years Ending September 30, 2015 and 2014
(Dollars in Thousands)

Note 1. Summary of Significant Accounting Policies

A. Reporting Entity

The U.S. Environmental Protection Agency (EPA or Agency) was created in 1970 by executive reorganization from various components of other Federal agencies in order to better marshal and coordinate Federal pollution control efforts. The Agency is generally organized around the media and substances it regulates -- air, water, land, hazardous waste, pesticides and toxic substances.

The FIFRA Revolving Fund was authorized in 1988 by amendments to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). The 1988 amendments mandated the accelerated re-registration of all products registered prior to November 1, 1984. Congress authorized the collection of maintenance fees to supplement appropriations to fund re-registration and to fund expedited processing of pesticides. Maintenance fees are assessed on registrants of pesticide products. FIFRA also includes provisions for the registration of new pesticides (funded in part from the PRIA or Pesticide Registration Fund), monitoring the distribution and use of pesticides, issuing civil or criminal penalties for violations, establishing cooperative agreements with the states, and certifying training programs for users of restricted chemicals. Appropriated funds, with the exception of partial funding of registration from Pesticide Registration Service Fees in the Pesticide Registration Fund, pay for these activities. The FIFRA Revolving Fund is accounted for under Treasury symbol number 68X4310.

The FIFRA fund may charge some administrative costs directly to the fund and charge the remainder of the administrative costs to Agency-wide appropriations. Costs funded by Agency-wide appropriations for FY 2015 and FY 2014 were \$45,054 thousand and \$33,652 thousand, respectively. These amounts are included as Income from Other Appropriations on the Statement of Changes in Net Position and as Expenses from Other Appropriations on the Statement of Net Cost. Costs for FY 2015 reflect a change in accounting principles to full cost, as explained in Paragraph N below.

B. Basis of Presentation

These financial statements have been prepared to report the financial position and results of operations of the EPA for the Reregistration and Expedited Processing (FIFRA) Revolving Fund as required by the Chief Financial Officers Act of 1990. The reports have been prepared from the books and records of the EPA in accordance with Office of Management and Budget (OMB) Circular A-136 *Financial Reporting Requirements*, and the EPA's accounting policies which are summarized in this note. These statements are therefore different from the financial reports also

prepared by the EPA pursuant to OMB directives that are used to monitor and control the EPA's use of budgetary resources. The balances in these reports have been updated from the EPA consolidated financial statements to reflect the use of FY 2015 and FY 2014 cost factors for calculating imputed costs for Federal civilian benefits programs, respectively. These updates impact the Balance Sheet, Statement of Net Cost, and Statement of Changes in Net Position.

C. Budgets and Budgetary Accounting

Funding of the FIFRA Revolving Fund is provided by fees collected from industry to offset costs incurred by the EPA in carrying out these programs. Each year the EPA submits an apportionment request to OMB based on the anticipated collections of industry fees.

D. Basis of Accounting

Generally Accepted Accounting Principles (GAAP) for Federal entities is the standard prescribed by the Federal Accounting Standards Advisory Board (FASAB), which is the official standard setting body for the federal government. The financial statements are prepared in accordance with GAAP for federal entities.

Transactions are recorded on an accrual accounting basis and a budgetary basis. Under the accrual method, revenues are recognized when earned and expenses are recognized when a liability is incurred, without regard to receipt or payment of cash. Budgetary accounting facilitates compliance with legal constraints and controls over the use of Federal funds. All interfund balances and transactions have been eliminated.

E. Revenues and Other Financing Sources

The EPA's 2002 appropriations bill extended authority to collect maintenance fees by one year in the amount of \$17 million and the FY 2003 appropriations extended the authority to collect fees again by one year in the amount of \$21.5 million. Passage of the Pesticide Registration Improvement Act (PRIA) in 2004 extended the authority to collect maintenance fees through FY 2008 (with annual fee amounts at \$26 million in FY 2004; \$27 million in FY 2005-2006; \$21 million in FY 2007; and \$15 million in FY 2008). Passage of the Pesticide Registration Improvement Renewal Act (commonly referred to as PRIA II) in 2007 extended the authority to collect maintenance fees through FY 2012 (with annual fee amounts set at \$22 million each year from 2008-2012). For FYs 2015 and 2014, the FIFRA Revolving Fund received funding from maintenance fees collected on existing registered pesticide products and from interest collected on investments in U.S. Government securities. For FYs 2015 and 2014 revenues were recognized from fee collections to the extent that expenses are incurred during the fiscal year.

F. Funds with the Treasury

The FIFRA fund deposits receipts and processes disbursements through its operating account maintained at the U.S. Department of Treasury. Cash funds in excess of immediate needs are invested in U.S. Government securities.

G. Investments in U. S. Government Securities

Investments in U. S. Government securities are maintained by Treasury (Bureau of Public Debt) and are reported at amortized cost net of unamortized discounts. Discounts are amortized over the term of the investments and reported as interest income. FIFRA holds the investments to maturity, unless needed to finance operations of the fund. No provision is made for unrealized gains or losses on these securities because, in the majority of cases, they are held to maturity.

H. General Property, Plant and Equipment

General property, plant and equipment for FIFRA consists of software in development. All funds (except for the Working Capital Fund) capitalize software if those investments are considered Capital Planning and Investment Control (CPIC) or CPIC Lite systems with the provisions of SFFAS No. 10, "Accounting for Internal Use Software." Once software enters the production life cycle phase, it is depreciated using the straight-line method over the specific asset's useful life ranging from two to 10 years.

I. Accounts Receivable and Interest Receivable

FIFRA receivables are mainly for interest receivable on investments.

J. Liabilities

Liabilities represent the amount of monies or other resources that are likely than not to be paid by the Agency as the result of an Agency transaction or event that has already occurred and can be reasonably estimated. However, no liability can be paid by the Agency without an appropriation or other collections. Liabilities for which an appropriation has not been enacted are classified as unfunded liabilities, and there is no certainty that the appropriations will be enacted. For FIFRA, liabilities are liquidated from fee receipts and interest earnings, since FIFRA receives no appropriation. Liabilities of the Agency, arising from other than contracts can be abrogated by the Government acting in its sovereign capacity.

K. Accrued Unfunded Annual Leave

Annual, sick and other leave is expensed as taken during the fiscal year. Sick leave earned but not taken is not accrued as a liability. Annual leave earned but not taken as of the end of the fiscal year is accrued as an unfunded liability. Accrued unfunded annual leave is included in the Balance Sheet as a component of "Payroll and Benefits Payable."

L. Retirement Plan

There are two primary retirement systems for Federal employees. Employees hired prior to January 1, 1987, may participate in the Civil Service Retirement System (CSRS). On January 1, 1984, the Federal Employees Retirement System (FERS) went into effect, pursuant to Public

Law 99-335. Most employees hired after December 31, 1983, are automatically covered by FERS and Social Security. Employees hired prior to January 1, 1984, elected to either join FERS and Social Security or remain in CSRS. A primary feature of FERS is that it offers a savings plan to which the Agency automatically contributes one percent of pay and matches any employee contributions up to an additional four percent of pay. The Agency also contributes the employer's matching share for Social Security.

With the issuance of SFFAS No. 5, "Accounting for Liabilities of the Federal Government," accounting and reporting standards were established for liabilities relating to the federal employee benefit programs (Retirement, Health Benefits, and Life Insurance). SFFAS No. 5 requires that the employing agencies recognize the cost of pensions and other retirement benefits during their employees' active years of service. SFFAS No. 5 requires that the Office of Personnel Management (OPM), as administrator of the CSRS and FERS, the Federal Employees Health Benefits Program, and the Federal Employees Group Life Insurance Program, provide federal agencies with the actuarial cost factors to compute the liability for each program.

M. Use of Estimates

The preparation of financial statements requires management to make certain estimates and assumptions that affect the reported amounts of assets and liabilities and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

N. Prior Period Adjustments and Restatements

Prior period adjustments, if any, are made in accordance with SFFAS No. 21, "Reporting Corrections of Errors and Changes in Accounting Principles." Specifically, prior period adjustments will only be made for material prior period errors to: (1) the current period financial statements, and (2) the prior period financial statements presented for comparison. Adjustments related to changes in accounting principles will only be made to the current period financial statements, but not to prior period financial statements presented for comparison.

In fiscal year 2014, EPA elected to change an accounting principle and use the full cost of expenses from other appropriations in accordance with SFFAS No. 4, "Managerial Costs Accounting Standards and Concepts". See Note 7 for additional information.

Note 2. Fund Balance with Treasury

	<u>FY 2015</u>	<u>FY 2014</u>
Revolving Funds: Entity Assets	\$ <u>22,400</u>	<u>16,480</u>

Note 3. Other Assets-Advances to Working Capital Fund

FIFRA advances funds to the EPA's Working Capital Fund to pay for computer, postage, and other administrative support services. As of September 30, 2015 and 2014, funds advanced that will be applied to future costs as incurred were \$89 thousand and \$0 respectively.

Note 4. General Property, Plant and Equipment

General property, plant and equipment consists of software and software in development.

As of September 30, 2015 and 2014, General Property, Plant and Equipment consist of the following:

	FY 2015			FY 2014		
	Acquisition Value	Accumulated Depreciation	Net Book Value	Acquisition Value	Accumulated Depreciation	Net Book Value
Software	\$ 1,107	(729)	378	1,107	(699)	408
Total	\$ 1,107	(729)	378	1,107	(699)	408

Note 5. Other Liabilities

For FYs 2015 and 2014, the Payroll and Benefits Payable, non-Federal, are presented on a separate line of the Balance Sheet and in a separate footnote (see Note 6).

	FY 2015	FY 2014
Other Intragovernmental Liabilities - Covered by Budgetary Resources		
Employer Contributions - Payroll	\$ 178	271
Total	<u>178</u>	<u>271</u>
Other Non-Federal Liabilities - Covered by Budgetary Resources		
Advances from Non-Federal Entities	26,382	20,109
Total	<u>\$ 26,382</u>	<u>20,109</u>

Note 6. Payroll and Benefits Payable, non-Federal

	<u>FY 2015</u>	<u>FY 2014</u>
Covered by Budgetary Resources		
Accrued Payroll Payable to Employees	\$ 865	946
Withholdings Payable	81	360
Thrift Savings Plan Benefits Payable	39	55
Total	<u>985</u>	<u>1,361</u>
Not Covered by Budgetary Resources		
Unfunded Annual Leave Liability	<u>\$ 60</u>	<u>1,401</u>

At various periods throughout FYs 2015 and 2014, employees with their associated payroll costs were transferred from the FIFRA fund to the Environmental Programs and Management (EPM) appropriation. (See graph in Note 7 below showing trend of hours charged per month to the FIFRA fund for FYs 2015 and 2014.) These employees were transferred in order to keep FIFRA's obligations and disbursements within budgetary and cash limits. When resources became available, the employees charging to FIFRA increased in order to utilize resources as much as possible. The Agency expects that the practice of transferring employees when FIFRA's resources are low, and restoring employees when funds become available, will continue throughout FY 2016 and probably beyond that period.

This process has led to variations between the year-end liabilities for FYs 2015 and 2014. The liabilities covered by budgetary resources (both intragovernmental and non-Federal) represent unpaid payroll and benefits at year-end. At the end of FY 2015 and FY 2014, 30 employees and 169 employees were charging their salary and benefits to FIFRA, respectively. As of September 30, 2015 these liabilities were \$178 thousand and \$985 thousand for employer contributions and accrued funded payroll and benefits, as compared to FY 2014's balances of \$271 thousand and \$1,361 thousand, respectively.

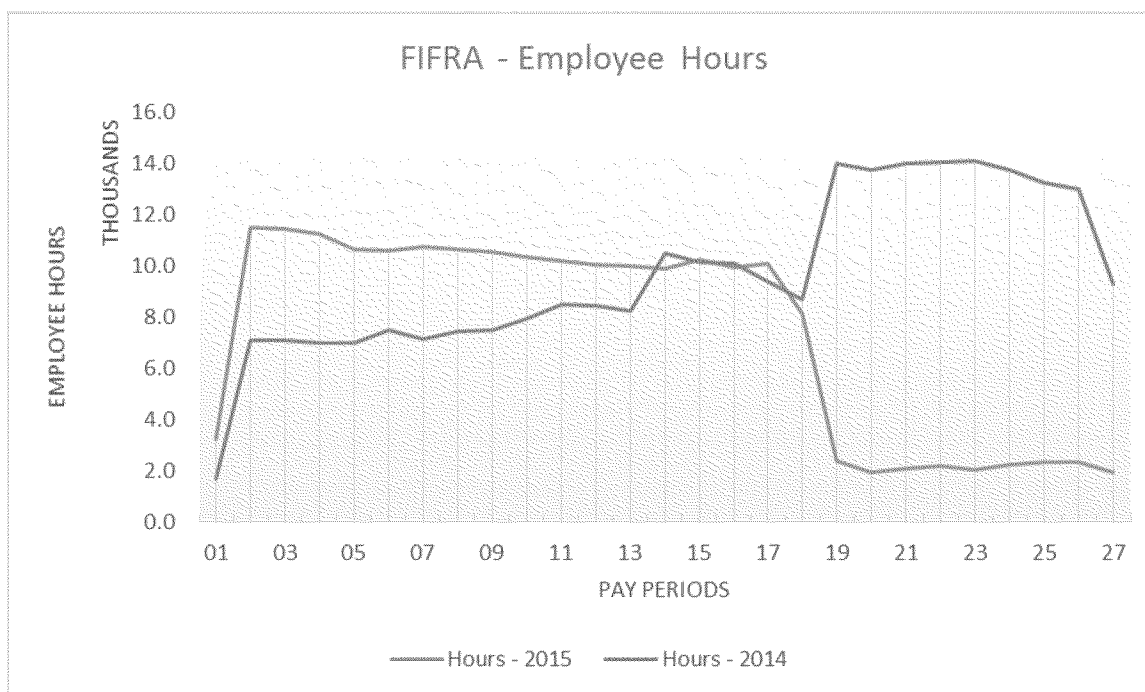
In contrast, the unfunded annual leave liability is a longer term liability than the funded liabilities. At various periods throughout FYs 2015 and 2014, approximately 262 and 265 employees, respectively, in total have been under FIFRA's accountability. During the 25th pay period of FY 2015, the liability was computed based on 36 employees charging to FIFRA in the last pay period. Both the September 30, 2015 and 2014 liability balances for unfunded annual leave were accrued to cover the employees charged to FIFRA close to the end of the fiscal year for a total of \$60 thousand and \$1,401 thousand, respectively.

Note 7. Income and Expenses from Other Appropriations

The Statement of Net Cost reports program costs that include the full costs of the program outputs and consist of the direct costs and all other costs that can be directly traced, assigned on a cause and effect basis, or reasonably allocated to program outputs.

During FYs 2015 and 2014, the EPA had two appropriations which funded a variety of programmatic and non-programmatic activities across the Agency, subject to statutory requirements. The EPM appropriation was created to fund personnel compensation and benefits, travel, procurement, and contract activities. Transfers of employees from FIFRA to EPM at various times during these years (see Note 6 above) resulted in an increase in payroll expenses in EPM, and these costs financed by EPM are reflected as an increase in the Expenses from Other Appropriations on the Statement of Net Cost. The increased financing from EPM is reported on the Statement of Changes in Net Position as Income from Other Appropriations.

In terms of hours charged to FIFRA each month, the transfers of employees and their associated costs, during FYs 2015 and 2014 are shown below. Note that a decrease in hours charged to FIFRA normally signifies an increase in EPM's payroll costs, and vice versa. In addition, Pesticide registration was separated from FIFRA starting with FY 2004 and Pesticide has its own set of financial statements.



EPM costs related to FIFRA are allocated based on specific EPM program codes which have been designated for Pesticide activities. As illustrated below, there is no impact on FIFRA's Statement of Changes in Net Position.

	Income from Other Appropriations	Expenses from Other Appropriations	Net Effect
FY 2015	\$ <u>45,054</u>	<u>45,054</u>	<u>-</u>
FY 2014	\$ <u>33,652</u>	<u>33,652</u>	<u>-</u>

Note 8. Exchange Revenues, Statement of Net Cost

For FYs 2015 and 2014, the exchange revenues reported on the Statement of Net Cost include both Federal and non-Federal amounts.

Note 9. Intragovernmental Costs and Exchange Revenue

	<u>FY 2015</u>	<u>FY 2014</u>
COSTS:		
Intragovernmental	\$ 6,673	6,242
With the Public	14,148	16,594
Expenses from Other Appropriations	<u>45,054</u>	<u>33,652</u>
Total Costs	<u>65,875</u>	<u>56,488</u>
REVENUE		
With the Public	<u>21,384</u>	<u>23,306</u>
Total Revenue	<u>21,384</u>	<u>23,306</u>
NET COST OF OPERATIONS	<u>\$ 44,491</u>	<u>33,182</u>

Intragovernmental costs relate to the source of the goods or services not the classification of the related revenue.

Note 10. Reconciliation of Net Cost of Operations to Budget (formerly the Statement of Financing)

	<u>FY 2015</u>	<u>FY 2014</u>
RESOURCES USED TO FINANCE ACTIVITIES:		
Budgetary Resources Obligated		
Obligations Incurred	\$ 22,223	23,749
Less: Spending Authority from Offsetting Collections and Recoveries	<u>(27,707)</u>	<u>(28,630)</u>
Obligations, Net of Offsetting Collections	<u>(5,484)</u>	<u>(4,881)</u>
Net Obligations	(5,484)	(4,881)
Other Resources		
Imputed Financing Sources	750	264
Income from Other Appropriations	<u>45,054</u>	<u>33,652</u>
Net Other Resources Used to Finance Activities	<u>45,804</u>	<u>33,916</u>
Total Resources Used To Finance Activities	<u>40,320</u>	<u>29,035</u>
RESOURCES USED TO FINANCE ITEMS NOT PART OF THE NET COST OF OPERATIONS:		
Change in Budgetary Resources Obligated	5,482	5,551
Resources that Fund Prior Periods Expenses	-	(785)
Resources that Finance Asset Acquisition	<u>-</u>	<u>(106)</u>
Total Resources Used to Finance Items Not Part of the Net Cost of Operations	<u>5,482</u>	<u>4,660</u>
Total Resources Used to Finance the Net Cost of Operations	<u>45,802</u>	<u>33,695</u>
COMPONENTS OF THE NET COST OF OPERATIONS THAT WILL NOT REQUIRE OR GENERATE RESOURCES IN THE CURRENT PERIOD:		
Components Requiring or Generating Resources in Future Periods:		
Increase in Annual Leave Liability	(1,341)	(670)
Upward/Downward Reestimates of Credit Subsidy Expense	<u>-</u>	<u>-</u>
Total Components of Net Cost of Operations that Require or Generate Resources in Future Periods	<u>(1,341)</u>	<u>(670)</u>
Components Not Requiring/Generating Resources:		
Depreciation and Amortization	<u>30</u>	<u>157</u>
Total Components of Net Cost that Will Not Require or Generate Resources	<u>30</u>	<u>157</u>
Total Components of Net Cost of Operations That Will Not Require or Generate Resources in the Current Period	<u>(1,311)</u>	<u>(513)</u>
Net Cost of Operations	\$ <u>44,491</u>	<u>33,182</u>

Distribution

The Administrator
Chief of Staff
Chief Financial Officer
Assistant Administrator for Chemical Safety and Pollution Prevention
Agency Follow-Up Coordinator
General Counsel
Associate Administrator for Congressional and Intragovernmental Relations
Associate Administrator for Public Affairs
Deputy Assistant Administrator for Chemical Safety and Pollution Prevention
Director, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Deputy Director, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Senior Advisor, FIFRA & PRIA Implementation, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
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Director, Registration Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Director, Antimicrobials Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Director, Information Technology and Resources Management Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention
Controller, Office of the Controller, Office of the Chief Financial Officer
Deputy Controller, Office of the Controller, Office of the Chief Financial Officer
Director, Accounting and Cost Analysis Division, Office of the Chief Financial Officer
Director, Policy, Training, and Accountability Division, Office of the Chief Financial Officer
Director, Washington Finance Center, Office of the Chief Financial Officer
Audit Follow-Up Coordinator, Office of the Administrator
Audit Follow-Up Coordinator, Office of the Chief Financial Officer
Audit Follow-Up Coordinator, Office of Chemical Safety and Pollution Prevention
FIFRA & PRIA Audit Coordinator, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention

To: sooners7, adm[sooners7@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Wed 9/6/2017 10:08:16 AM
Subject: Fwd: EPA sheds 450 workers through buyouts, retirements

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 - Personal Privacy

Begin forwarded message:

From: "POLITICO Pro Energy Whiteboard" <politicoemail@politicopro.com>
Date: September 5, 2017 at 8:34:37 PM EDT
To: <jackson.ryan@epa.gov>
Subject: EPA sheds 450 workers through buyouts, retirements
Reply-To: "POLITICO subscriptions" <reply-fe7f12797d61017a7d-980857_HTML-786581600-1376319-0@politicoemail.com>

By Alex Guillén

09/05/2017 08:31 PM EDT

EPA will shed more than 450 workers by the end of September, largely via early retirement and buyout packages, according to an agency official.

After a monthslong process, 362 workers last week accepted the voluntary buyouts, known in federal jargon as VERA and VSIP. Another 45 workers are still considering offers. Meanwhile, 12 more employees retired at the end of August, and another 33 are expected to retire at the end of this month, bringing EPA's workforce to 14,428, according to the official.

That's roughly in line with late-1980s levels. According to EPA's website, the agency employed 14,370 workers in 1989 before hitting a high of more than 18,000 in 1999.

"We're giving long-serving, hard-working employees the opportunity to retire early. We're proud to report that we're reducing the size of government, protecting taxpayer dollars and staying true to our core mission of protecting the environment and American jobs," EPA Administrator Scott Pruitt said in a statement.

It was not immediately clear how much EPA spent on those buyouts, which can run as high as \$25,000 per person. During a similar round of buyouts in 2014, EPA spent \$11.3 million in incentives on 456 employees — though many of those positions were refilled, unlike

most of the positions in this round.

The White House's proposed EPA budget sought single-year workforce reductions of 3,200, or about 21 percent of the agency, although Congress has resisted such drastic cuts to EPA's budget.

To view online:

<https://www.politicopro.com/energy/whiteboard/2017/09/epa-sheds-450-workers-through-buyouts-retirements-092487>

Was this Pro content helpful? Tell us what you think in one click.				
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include:
Energy: EPA. To change your alert settings, please go to
<https://www.politicopro.com/settings>

This email was sent to jackson.ryan@epa.gov by: POLITICO, LLC 1000 Wilson Blvd.
Arlington, VA, 22209, USA

To: sooners7, adm[sooners7@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Mon 9/4/2017 4:35:00 PM
Subject: Morning update
9-4-17 0700 Update.pdf
ATT00001.txt



Hurricane Harvey 2017 9/4/2017 – 0700 CDT Update

EXECUTIVE SUMMARY

- The remaining peroxide trailers at the Arkema facility were manually ignited in a controlled method to eliminate the risk of an uncontrolled event.
- A staging area was secured for the Beaumont branch and two OSCs will be mobilizing there tomorrow.
- Field response activities continued at both the Corpus Christi and Houston Branches. As areas are evaluated, the focus changes from assessment to recovery.
- Multiple Superfund Phase 2 Site inspections are planned for the next two operational periods. One Superfund Phase 2 inspection was completed this operational period.
- The Acting Regional Administrator and advisors to the Administrator are meeting this morning with the Houston Mayor and other local and state officials.
- The Acting Regional Administrator and advisors to the Administrator will be touring NPL sites with reporters from several national media outlets, and may be attending a Congressional briefing later today.

PUBLIC AFFAIRS

A Field Public Information Officer (PIO) was mobilized to the Houston Mayor's Office on September 3 and began operating out of the Houston Emergency Center. The liaison has been asked to provide daily updates on EPA activity in Houston.

EPA issued a joint statement with the Texas Commission on Environmental Quality about a controlled burn of materials at the Arkema facility in Crosby, Texas. The Crosby Volunteer Fire Department and the Harris County Fire Marshall's Officer performed the burn.

ARKEMA

EPA/TCEQ statement on controlled ignition of trailers at Arkema facility in Crosby

The U.S. Environmental Protection Agency and the Texas Commission on Environmental Quality

released the following statement along with Unified Command regarding the decision to conduct a controlled ignition of remaining trailers at Arkema's facility in Crosby:

It is the understanding of personnel on the ground that the remaining trailers are at risk of catching fire over the next few days. Rather than risk additional damage to the facility or spreading into the surrounding area, the Crosby Volunteer Fire Department and the Harris County Fire Marshal's Office will perform a controlled burn of the material.

First responders are outside the evacuation zone, but remain in the area, for quick response to ensure the safety of the community around the facility.

We continue to monitor smoke and air quality, the potential for additional fires in the area, and have aerial assets ready to be deployed, as needed. Everyone in the area should follow the safety instruction of local authorities, specifically staying out of the evacuation zone, avoiding smoke and flood waters.

Additional Background:

As with all smoke, people can limit the potential for adverse health effects by limiting their exposure. This includes staying indoors with doors and windows closed and running the air conditioning (if possible) with the fresh intake closed. If it is absolutely necessary to be outdoors, try to move out of the plume of smoke and minimize heavy work, exercise, or children's playtime.

BEAUMONT/PORT ARTHUR

EPA has secured an operational staging area in the parking lot of the Central Mall, adjacent to the U.S. Coast Guard (USCG) Marine Safety Unit (MSU) in Port Arthur. Two EPA OSCs are mobilizing from Houston tomorrow along with GIS/Data Support. Currently, most of the area is still inaccessible due to flooding. EPA will continue to coordinate with local, state and federal response partners to plan for further assessment and potential response actions once the flood waters recede. The priority for the next operational period is to set up command posts with work space and continue developing an operational structure to begin field operations.

DEBRIS RECOVERY

No new information.

AIR MONITORING

EPA's mobile air monitoring Trace Atmospheric Gas Analyzer (TAGA) bus along with EPA personnel will be arriving in Houston today.

The Louisiana Department of Environmental Quality has offered EPA the use of its Mobile Air Monitoring Lab to collect air data in the Beaumont/Port Arthur area.

An EPA Team began mobile air monitoring in the Manchester community (Houston Branch). At least six locations were monitored, all monitoring results were at background conditions.

EMERGENCY RESPONSE

Daily/Cumulative Summary of Hazard Evaluations/Recovery				
Status	Opened		Closed	
	9/3/2017	Cumulative	9/3/2017	Cumulative
Corpus Christi Branch	6	43	11	50
Houston Branch	26	94	7	10
NRC Reports	0	3	0	0
* Note: Open means the target is yet to be recovered. Closed means the target was recovered/left in place or access was denied to collect the item.				

Daily/Cumulative Summary of Spills/Discharges				
Status	Opened		Closed	
	9/3/2017	Cumulative	9/3/2017	Cumulative
Corpus Christi Branch	9	339	2	28
Houston Branch	0	30	2	3
NRC Reports	2	21	0	7

WATER SYSTEMS ASSESSMENT

No new information overnight.

SUPERFUND INSPECTIONS PLANNED

The updated Status/Schedule for NPL Inspections is below:

- Phase 1 – 41 sites completed 9/1/17
- Phase 2 – 11 sites require inspection
 - Planned
 - ☐ San Jacinto – 9/4/17 Miller
 - ☐ Highlands Acid Pit – 9/4/17 Miller
 - ☐ French Ltd. – 9/5/17 Sullivan
 - ☐ Gulfco Marine – 9/5/17 Abshire
 - ☐ Malone Services – 9/5/17 Miller
 - ☐ Patrick Bayou – 9/5/17 Abshire
 - ☐ Petro-Chemical Systems – 9/5/17 Abshire
 - ☐ Triangle Chemical – 9/5/17 Sullivan
 - ☐ US Oil Recovery – 9/4/17 Miller
 - ☐ Bailey Waste – 9/5/17 Sullivan
 - ☐ Geneva – **complete 9/3/17**

FIELD RESPONSE ACTIVITIES

As areas are evaluated, the focus changes from assessment to recovery. Several additional Oil Recovery and Container Recovery teams were added to both the Corpus Christi Branch and Houston Branch.

The table below displays the teams deployed in the Corpus Christi and Houston Branches during this operational period:

Quantity and Types of Teams Deployed 9/3/2017		
Team Type	Corpus Christi Branch	Houston Branch
Water Assessment Teams	1	8
Hazard Evaluation	2	8
Oil Discharge Assessment	3	5
Container Recovery	0	2
Oil Recovery Group	2	0
ER/Recovery Group	1	0
Arkema Group	0	1
Air Operations Group	0	2

CORPUS CHRISTI BRANCH:

- Pre-sampling of staging area pads completed.
- ER/Recovery Group: Six hazardous material drums were discovered near a recreational area in Victoria, TX and removed.
- Oil Discharge Assessment Group: In Mesquite Bay, a team discovered an oil sheen. The suspected source is a nearby oil production platform. No ongoing discharge was observed.
- A total of 73 orphan containers have been collected to date.

	CONTAINERS			TOTAL
	Drums [55 gals]	Large Containers [<55 gals]	Large Containers [>55 gals]	
9/3/2017	7	0	0	7
Total to date	39	32	2	73

HOUSTON BRANCH:

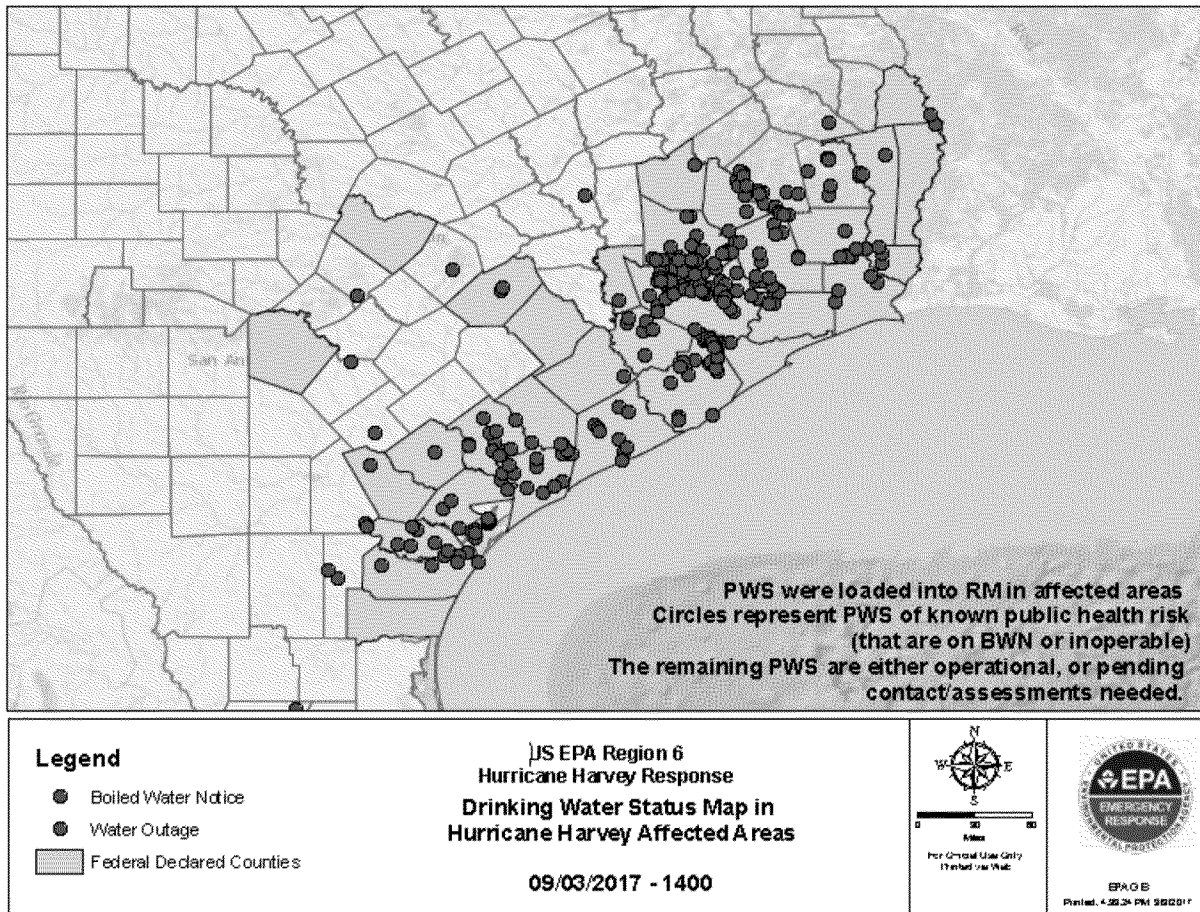
- Site assessments were completed at 24 public water systems and 14 wastewater treatment facilities.
- Response activities focused on reconnaissance and assessment – no orphan container recovery was conducted.

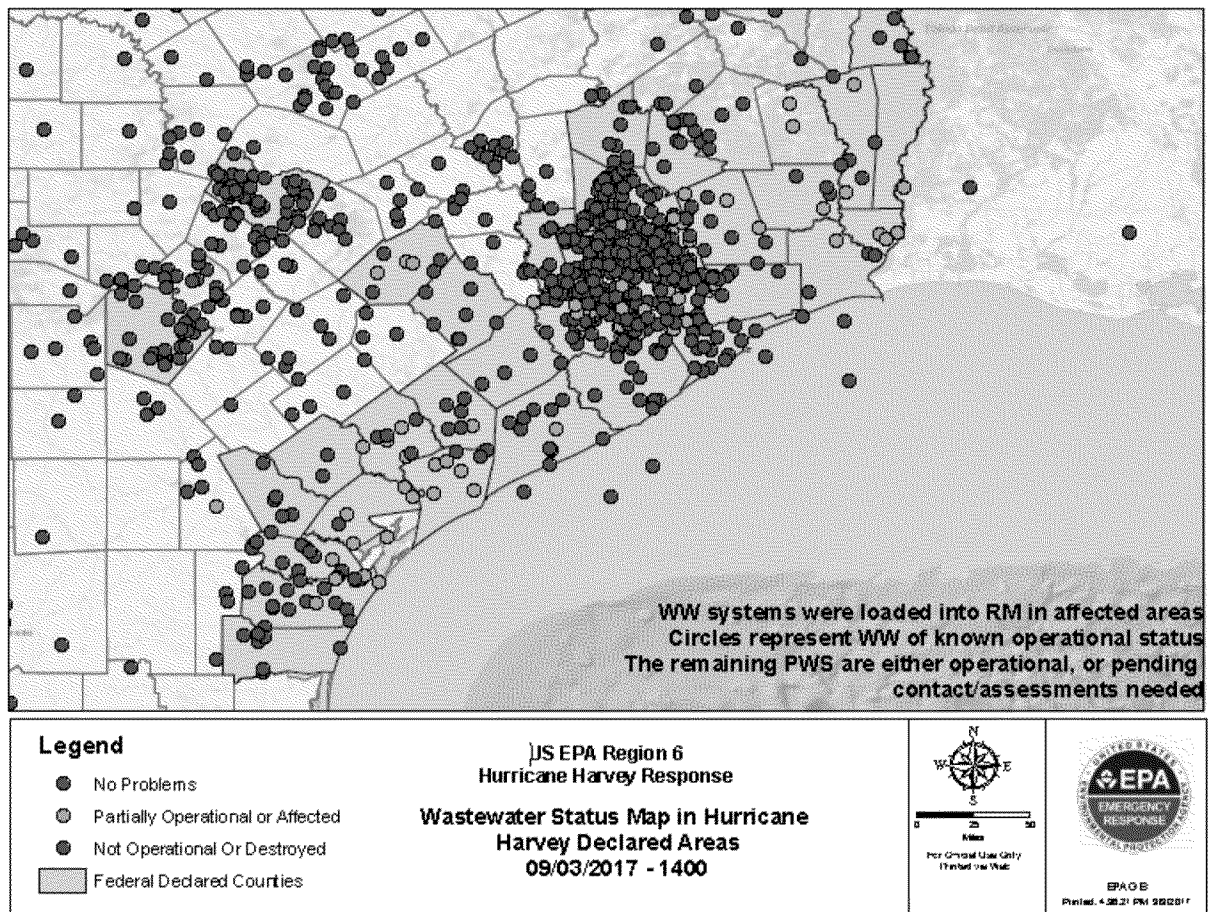
SPILL/RELEASE RESPONSE

Hotline Calls as of September 4, 2017	
Number of Harvey Related Calls Received During Reporting Period 1300-0100	3
Total Number of Harvey Related Calls to Date	139
* EPA is assessing each call to determine appropriate response and forwarding reports to field personnel to conduct further assessments and response as needed.	

DRINKING WATER / WASTEWATER ASSESSMENTS

EPA continues to support TCEQ in contacting drinking water and waste water systems with 10 personnel manning TCEQ's Drinking Water and Waste Water Phone Bank located in Austin.



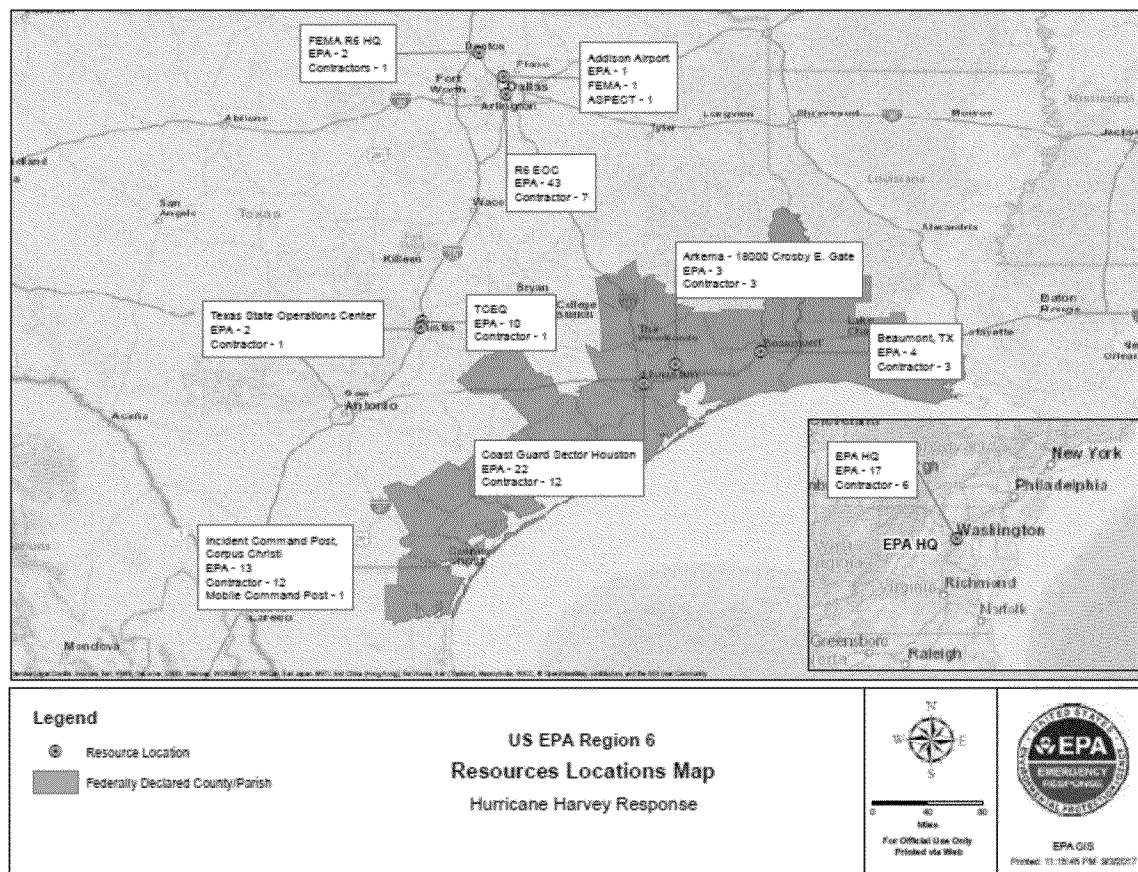


FILE: \\EPA\GIS\Projects\Hurricane\WasteWater\09032017\Map\09032017\Map.mxd

EPA RESOURCES

Personnel	EPA Dallas, TX	FEMA Denton, TX	TX SOC Austin, TX	TCEQ Austin, TX	*Houston, TX	Crosby, TX	Corpus Christi, TX	HQ EOC, Wash, DC	TOTAL
EPA	43	2	2	10	22	3	13	17	111
START	7		1	1	12		6		27
ERRS					7		8		15
Other Contractors	1							6	7
TOTAL	53	1	3	11	39	3	27	23	163

*Includes staff for Beaumont



FUNDING SEPTEMBER 3, 2017

Funding Sources	Funding Ceiling	Funding Ceiling Less Indirect	Spent to Date	Remaining Balance	Daily Burn Rate	Days Remaining
Non Mission Assignment	N/A		\$64,200.00	\$0.00		25.15
MA 4332DR-TX-EPA-01	\$20,000.00	\$17,654.00	\$0.00	\$17,654.00		
MA 4332DR-TX-EPA-03	\$8,592,000.00	\$7,584,077.00	\$2,628,702.00	\$4,955,375.00	\$197,752.84	
Totals:	\$8,612,000.00	\$7,601,731.00	\$2,692,902.00	\$4,973,029.00		

** Indirect costs represent the money the Cincinnati Shared Service Center takes off the top to manage the Mission Assignments

*Burn rate does not include daily ERRS amounts, not yet received. The burn does include START & ASPECT.

REFINERIES/FUEL WAIVERS

No New Information.

The Department of Energy authorized the Strategic Petroleum Reserve (SPR) to negotiate and execute an emergency exchange agreement with the Phillips 66 Lake Charles Refinery. This decision will authorize 200,000 barrels of sweet crude oil and 300,000 barrels of sour crude oil to be drawn down from SPR's West Hackberry, Louisiana (LA) site and delivered via pipeline to the Phillips 66 refinery.

Four No Action Assurance (NAA) letters were signed by EPA on September 1, 2017, to help address fuel shortages. NAAs will help expedite the distribution of existing gasoline supplies in

both Texas and Louisiana while the refineries work to re-start and resume normal operations. For each NAA, EPA will exercise discretion not to pursue enforcement for violations of the regulations identified in the NAAs. Each NAA is effective for two weeks, or until September 15. It is anticipated that these NAAs will allow for the immediate distribution in Texas of 10 million or more gallons of gasoline to consumers.

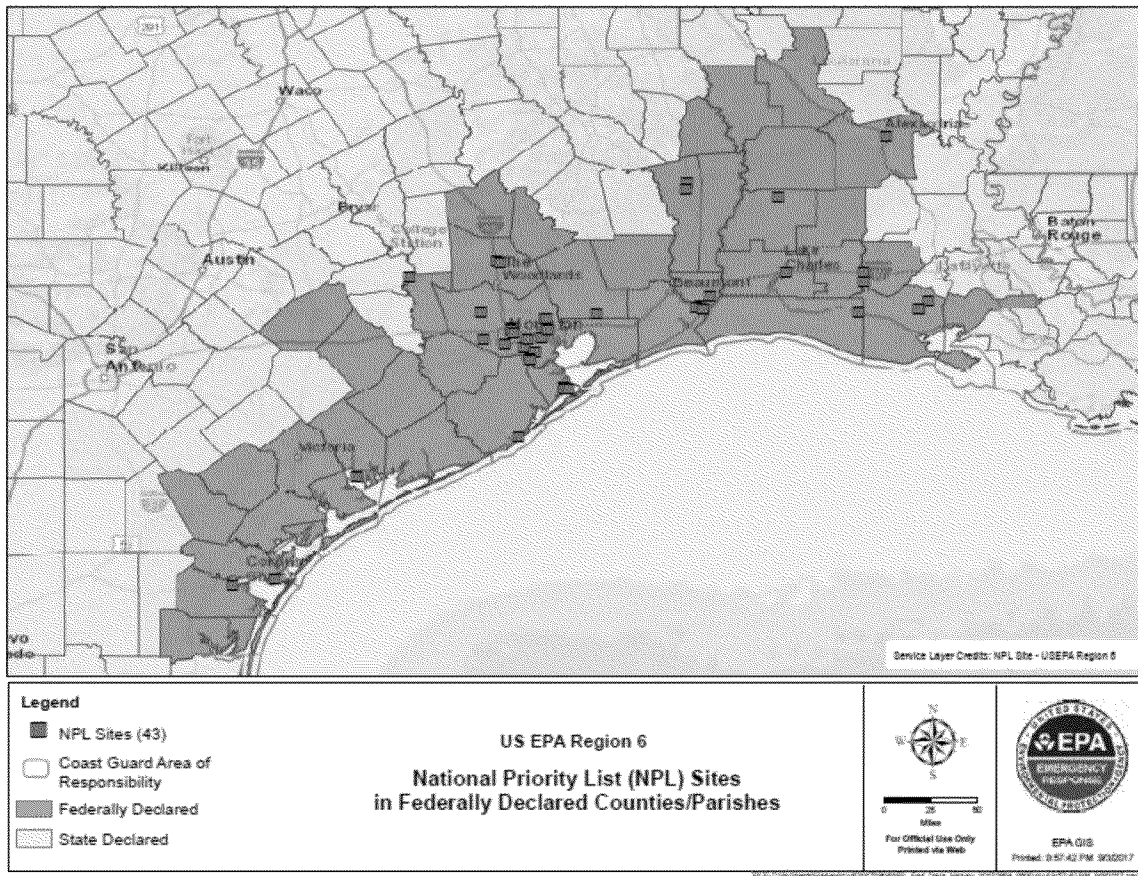
Texas NAA for Vapor Recovery Systems: Several federal regulations and the Texas State Implementation Plan (SIP) require that bulk gasoline, marine, and rail loading terminals operate a vapor control system to collect the fuel vapors displaced from tank trucks during product loading. This NAA allows the loading and unloading of fuel at terminals that have damaged or inoperable vapor recovery devices or that are otherwise not equipped with such devices.

Texas NAA for Truck Loading at Petroleum Distribution Terminals: Several federal regulations and the Texas SIP require that gasoline tank trucks obtain testing and certification that the tank trucks are vapor tight. This NAA allows tank trucks to load and unload fuel at terminals even though the trucks may not be registered with the terminals as having completed all the testing for tank tightness or have the documentation on hand to prove it.

Texas NAA for Roof Landings at Gasoline Storage Vessels: This relates to several federal regulations and the Texas SIP covering storage vessels with external floating roofs. Specifically, when the operator removes product from the vessel such that the roof lands on the vessel's legs, such action must be a continuous motion, i.e. the process of re-filling the vessel must begin immediately after roof landing. This NAA will allow roof landings without requiring immediate re-filling of the vessel.

Louisiana NAA for Truck Loading at Petroleum Distribution Terminals: Several federal regulations and the Louisiana SIP require that gasoline tank trucks obtain testing and certification that the tank trucks are vapor tight. This NAA allows tank trucks to load and unload fuel at terminals even though the trucks may not be registered with the terminals as having completed all the testing for tank tightness or have the documentation on hand to prove it.

SUPERFUND NPL SITES



SUPERFUND NPL SITES (Continued)

Superfund Sites within Federally Declared Counties					9/4/2017
Hurricane Harvey Rapid Response Assessment	Phase 1	Phase 2		Phase 3	All Phases Completed
Site Name	Rapid Response Assessment	Site Inspection Needed	Inspected	Additional Response Action	
TEXAS					
ALCOA (Point Comfort) / LAVACA BAY	8/29/2017	No			8/29/2017
BAILEY WASTE DISPOSAL	9/1/2017	Yes			
BRINE SERVICE CO.	8/30/2017	Yes	8/30/2017	No	8/30/2017
BRIO REFINING INC.	9/1/2017	No			9/1/2017
CONROE CREOSOTING COMPANY	9/1/2017	No			9/1/2017
CRYSTAL CHEMICAL CO.	8/30/2017	No			8/30/2017
DIXIE OIL PROCESSORS INC.	9/1/2017	No			9/1/2017
FALCON REFINERY	8/30/2017	Yes	8/30/2017	No	8/30/2017
FRENCH, LTD.	9/1/2017	Yes			
GENEVA INDUSTRIES / FUHRMANN ENERGY	9/1/2017	Yes	9/3/2017	No	9/3/2017
GULFCO MARINE MAINTENANCE	9/1/2017	Yes			
HARRIS (FARLEY STREET)	9/1/2017	No			9/1/2017
HART CREOSOTING	9/1/2017	No			9/1/2017
HIGHLANDS ACID PIT	9/1/2017	Yes			
JASPER CREOSOTING	9/1/2017	No			9/1/2017
JONES ROAD GROUNDWATER PLUME	8/29/2017	No			8/29/2017
MALONE SERVICES COMPANY	9/1/2017	Yes			
MANY DIVERSIFIED INTERESTS, INC	9/1/2017	No			9/1/2017
MOTCO, INC.	8/31/2017	No			8/31/2017
NORTH CAVALCADE STREET	8/29/2017	No			8/29/2017
PALMER BARGE LINE	9/1/2017	No			9/1/2017
PATRICK BAYOU	9/1/2017	Yes			
PETRO-CHEMICAL SYSTEMS, INC. (Turtle Bayou)	9/1/2017	Yes			
SAN JACINTO RIVER WASTE PITS	9/1/2017	Yes			
SHERIDAN DISPOSAL	9/3/2017	No			9/3/2017
SIKES DISPOSAL PITS	8/29/2017	No			8/29/2017
SOL LYNN / INDUSTRIAL TRANSFORMERS	8/29/2017	No			8/29/2017
SOUTH CAVALCADE STREET	8/29/2017	No			8/29/2017
STAR LAKE CANAL	8/30/2017	No			8/30/2017
STATE MARINE OF PORT ARTHUR	9/1/2017	No			9/1/2017
TEX-TIN CORP.	9/1/2017	No			9/1/2017
TRIANGLE CHEMICAL COMPANY	9/1/2017	Yes			
UNITED CREOSOTING CO.	9/1/2017	No			9/1/2017
US OIL RECOVERY	9/1/2017	Yes			
LOUISIANA					
AMERICAN CREOSOTE DERIDDER	9/1/2017	No			9/1/2017
D.L. MUD, INC.	8/29/2017	No			8/29/2017
EVR-WOOD TREATING/EVANGELINE REFINING COMPANY	9/1/2017	No			9/1/2017
GULF COAST VACUUM SERVICES	8/29/2017	No			8/29/2017
GULF STATE UTILITIES (North Ryan Street)	8/31/2017	No			8/31/2017
MALLARD BAY LANDING BULK PLANT	8/29/2017	No			8/29/2017
PAB OIL & CHEMICAL SERVICE	8/29/2017	No			8/29/2017
SBA SHIPYARD	9/1/2017	No			9/1/2017
RUSTON FOUNDRY	9/3/2017	No			9/3/2017
STATUS SUMMARY					
Rapid Response Assessment Completed	43				
Sites with no further action	33				
Sites in Phase 2	10				

Legend

Federally Declared Counties in Texas

- No Designation
- Public Assistance (Category B)
- Individual Assistance (Category A & B)

US EPA Region 6

FEMA - Texas Counties with Federal Disaster Declarations

Hurricane Harvey Response

0600 CDT 20170904

EPA

EMERGENCY RESPONSE

ENVIRONMENTAL PROTECTION AGENCY

EPA GIS

Printed: 10/05/08 PM 05/20/2017

To: sooners7, adm[sooners7@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Sun 9/3/2017 3:38:02 PM
Subject: Morning update.
Revised 0800 Update 09.03.2017.Final.docx
ATT00001.txt



Hurricane Harvey 2017 9/3/2017 – 0800 CDT Update

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) — Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites.

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

ARKEMA FIRE

Yesterday, September 2, 2017, ASPECT observed white smoke emitting from the one of the

remaining 6 trailers of peroxide but the anticipated ignition of the material has not occurred as of 6:00 am today, September 3, 2017. Also, the air crew from the sheriff's department noticed a yellow liquid, believed to be organic peroxides, near several of the trailers. EPA's aerial reconnaissance aircraft continues to fly over the Arkema facility about every 10 to 15 minutes. Instruments detected trace emissions of peroxide. Ground level air monitoring outside the 1.5-mile exclusion zone indicated non-detect for the contaminants of concern. At approximately 7:30pm, the Responsible Party, in consultation with Unified Command, decided to manually ignite the remaining peroxide trailers. However, just prior to initiation of the manual ignition operation, the plan was cancelled. The remaining trailers began emitting smoke again, making the operation unsafe. The 1.5-mile evacuation radius remains in effect. Flood waters within the facility have receded almost completely.

BEAUMONT/PORT ARTHUR

EPA is looking for staging areas throughout Beaumont/Port Arthur to establish operations once flood waters recede.

FIELD RESPONSE ACTIVITIES

CORPUS CHRISTI

Throughout the weekend, EPA staff assessed public water supplies, wastewater treatment facilities, Risk Management Plan (RMP) and Facility Response Plan (FRP) facilities for damage and immediate ongoing releases.

EPA personnel deployments to Austin, Beaumont-Port Arthur, Houston and Corpus Christi will continue throughout the weekend. Personnel will be supporting the Unified Command teams that are identifying and evaluating impacts of the hurricane and floods, as well as coordinating with TCEQ to assist with priority drinking and waste water assessments. EPA is working with TCEQ to issue a statement on the hazards of floodwaters. Assisting drinking water and waste water facilities in maintaining and/or resuming their operational status remains a high priority.

On September 2, 2017, an EPA Liaison Officer met with the Nueces County Emergency Management Coordinator and Deputy Coordinator at the Nueces County Emergency Operations Center. The Coordinator informed the EPA that there were no environmental concerns they would need assistance with, but appreciated EPA reaching out to them. Nueces County's contractor will be starting vegetation debris pickup next week and project to be completed in about 4-6 days. The Coordinator did ask if EPA could echo any of their social media and media information about the debris pickup to assist in a widespread dissemination of their information.

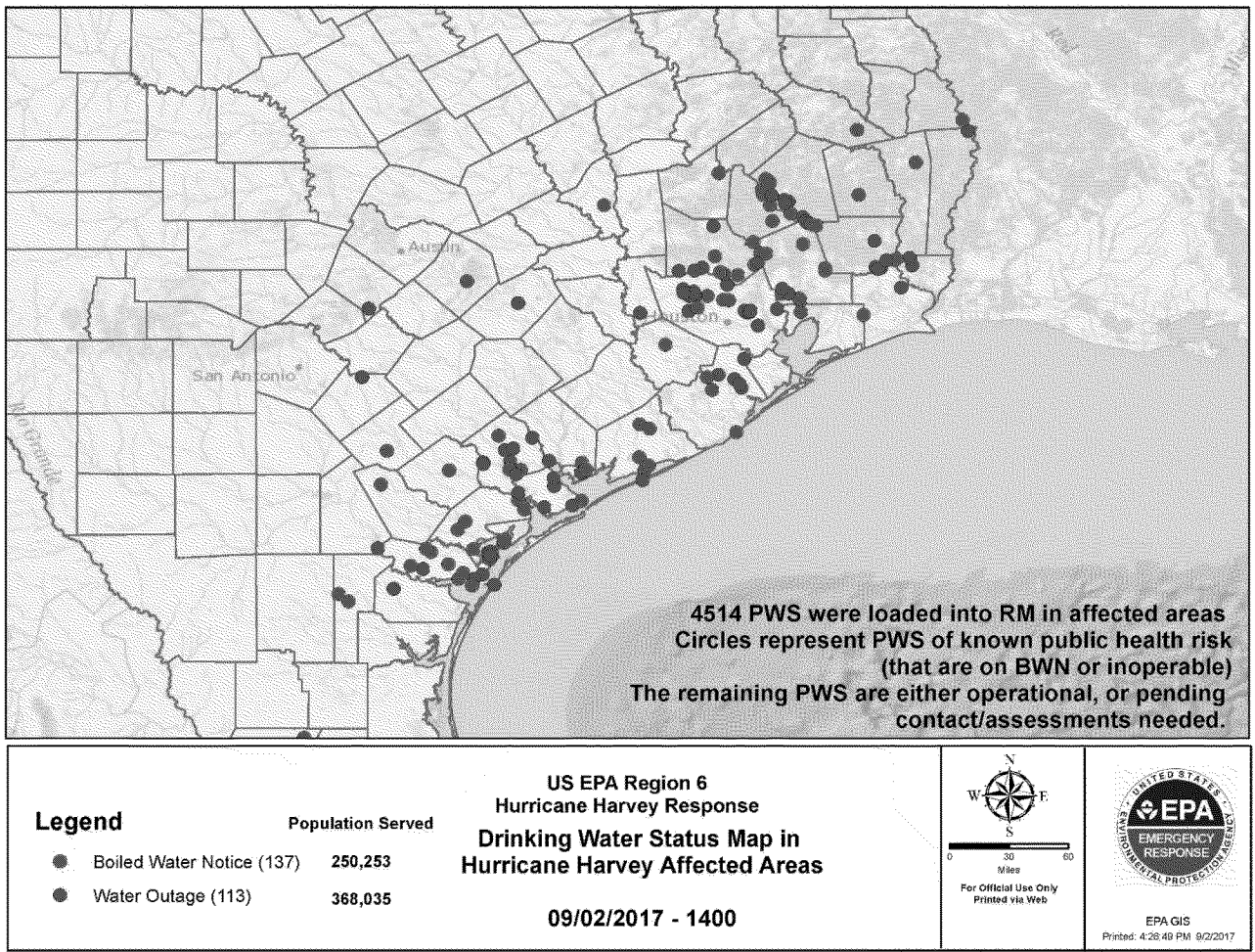
On September 2, 2017, the Corpus Christi Oil Discharge Assessment Team 1 observed an ongoing release of natural gas at the South Mustang Separation Facility. The team notified the responsible party and confirmed they were responding appropriately.

SPILL/RELEASE RESPONSE

Hotline Calls as of September 3, 2017	
Number of Harvey Related Calls Received During Reporting Period 1300-0100	9
Total Number of Harvey Related Calls to Date	129
* EPA is assessing each call to determine appropriate response and forwarding reports to field personnel to conduct further assessments and response as needed.	

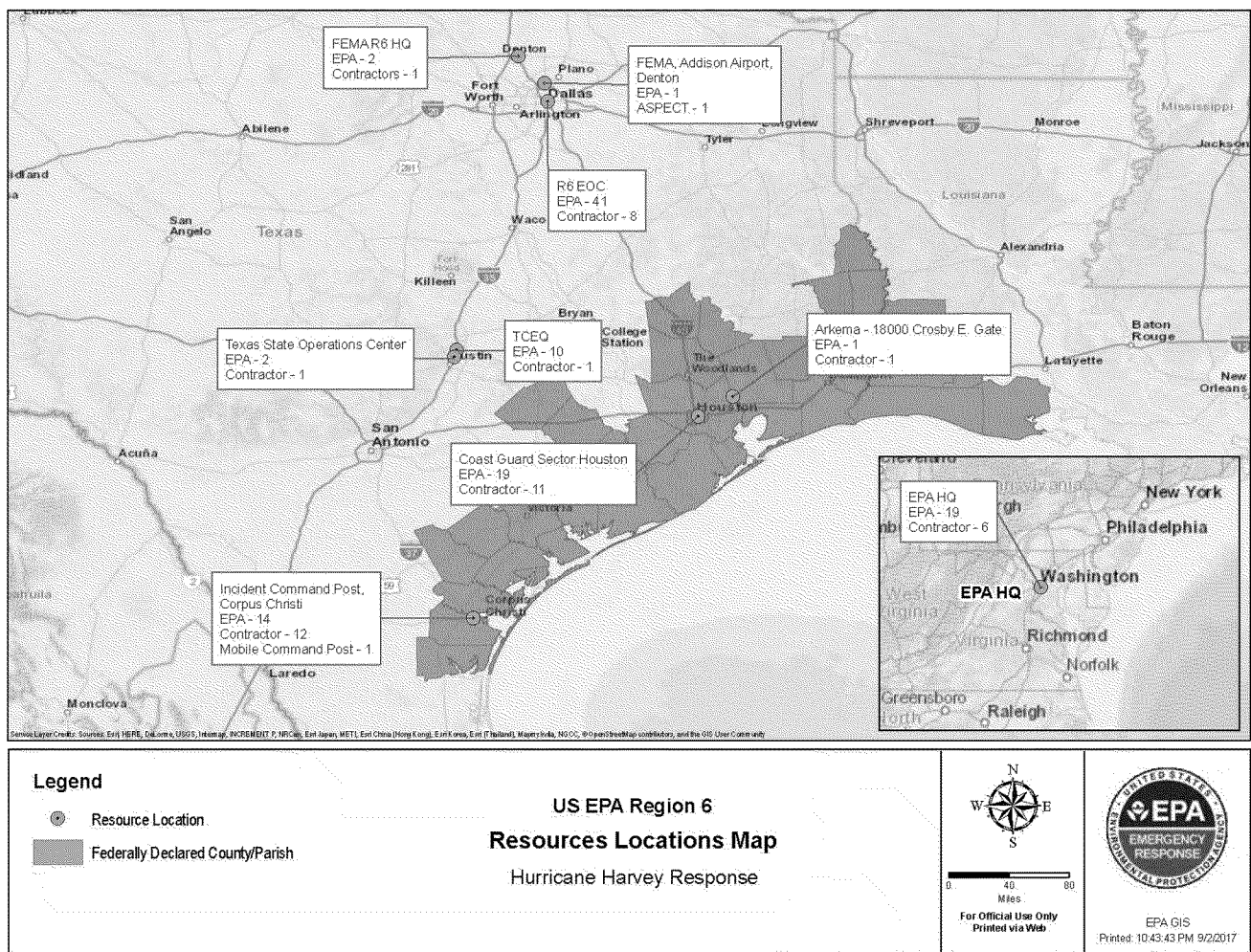
DRINKING WATER / WASTEWATER ASSESSMENTS

EPA continues to support TCEQ in contacting drinking water and waste water systems with 10 personnel manning TCEQ's Drinking Water and Waste Water Phone Bank located in Austin. Approximately half (2,300) of the 4,500 drinking water systems potentially affected by Harvey have been contacted. Of the 2,300 systems, 137 have boil-water notices and 113 are shut down.



EPA RESOURCES

Personnel	EPA Dallas, TX	FEMA Denton, TX	Texas SOC Austin, TX	TCEQ Austin, TX	Houston, TX	Corpus Christi, TX	HQ EOC Wash DC	Totals
EPA	41	1	2	10	19	14	19	106
START	7		1	1	11	6		26
ERRS						6		6
Other Contractors	1						6	7
TOTAL	49	1	3	11	30	26	25	145



FUNDING

SEPTEMBER 2, 2017

Funding Sources	Funding Ceiling	Funding Ceiling Less Indirect	Spent to Date	Remaining Balance	Daily Burn Rate
Non Mission Assignment	N/A		\$64,200.00	\$0.00	
MA 4332DR-TX-EPA-01	\$20,000.00	\$17,654.00	\$0.00	\$17,654.00	
MA 4332DR-TX-EPA-03	\$8,592,000.00	\$7,584,077.00	\$2,473,544.00	\$5,110,533.00	\$151,953.84
Totals:	\$8,612,000.00	\$7,601,731.00	\$2,537,744.00	\$5,128,187.00	

*Burn rate does not include daily ERRS amounts, not yet received. The burn does include START & ASPECT.

REFINERIES/FUEL WAIVERS

The National Protection and Programs Directorate Office of Cyber and Infrastructure Analysis (OCIA) reports refineries in Corpus Christi, Texas (TX) are starting the process to re-open. These refineries do not provide gasoline to the Colonial Pipeline system which supplies much of the oil to the northeast United States. Gasoline prices across the nation continue to increase.

The Department of Energy authorized the Strategic Petroleum Reserve (SPR) to negotiate and execute an emergency exchange agreement with the Phillips 66 Lake Charles Refinery. This decision will authorize 200,000 barrels of sweet crude oil and 300,000 barrels of sour crude oil to be drawn down from SPR's West Hackberry, Louisiana (LA) site and delivered via pipeline to the Phillips 66 refinery.

Four No Action Assurance (NAA) letters were signed by EPA on September 1, 2017, to help address fuel shortages. NAAs will help expedite the distribution of existing gasoline supplies in both Texas and Louisiana while the refineries work to re-start and resume normal operations. For each NAA, EPA will exercise discretion not to pursue enforcement for violations of the regulations identified in the NAAs. Each NAA is effective for two weeks, or until September 15. It is anticipated that these NAAs will allow for the immediate distribution in Texas of 10 million or more gallons of gasoline to consumers.

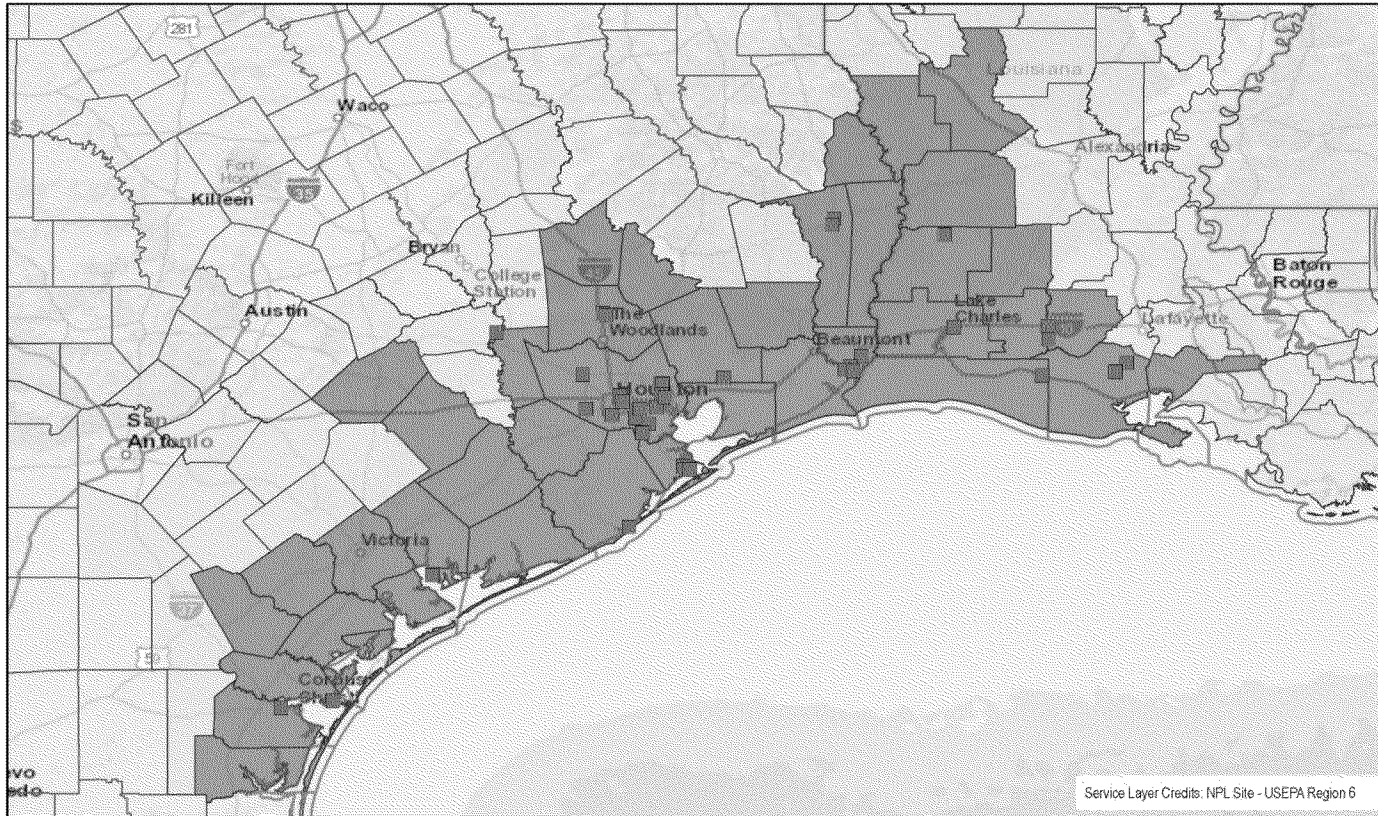
Texas NAA for Vapor Recovery Systems: Several federal regulations and the Texas State Implementation Plan (SIP) require that bulk gasoline, marine, and rail loading terminals operate a vapor control system to collect the fuel vapors displaced from tank trucks during product loading. This NAA allows the loading and unloading of fuel at terminals that have damaged or inoperable vapor recovery devices or that are otherwise not equipped with such devices.

Texas NAA for Truck Loading at Petroleum Distribution Terminals: Several federal regulations and the Texas SIP require that gasoline tank trucks obtain testing and certification that the tank trucks are vapor tight. This NAA allows tank trucks to load and unload fuel at terminals even though the trucks may not be registered with the terminals as having completed all the testing for tank tightness or have the documentation on hand to prove it.

Texas NAA for Roof Landings at Gasoline Storage Vessels: This relates to several federal regulations and the Texas SIP covering storage vessels with external floating roofs. Specifically, when the operator removes product from the vessel such that the roof lands on the vessel's legs, such action must be a continuous motion, i.e. the process of re-filling the vessel must begin immediately after roof landing. This NAA will allow roof landings without requiring immediate re-filling of the vessel.

Louisiana NAA for Truck Loading at Petroleum Distribution Terminals: Several federal regulations and the Louisiana SIP require that gasoline tank trucks obtain testing and certification that the tank trucks are vapor tight. This NAA allows tank trucks to load and unload fuel at terminals even though the trucks may not be registered with the terminals as having completed all the testing for tank tightness or have the documentation on hand to prove it.

SUPERFUND NPL SITES



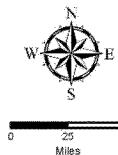
Service Layer Credits: NPL Site - USEPA Region 6

Legend

- NPL Sites (42)
- Coast Guard Area of Responsibility
- Federally Declared
- State Declared

US EPA Region 6 National Priority List (NPL) Sites in Federally Declared Counties/Parishes

Hurricane Harvey Response
0600 CDT 20170903



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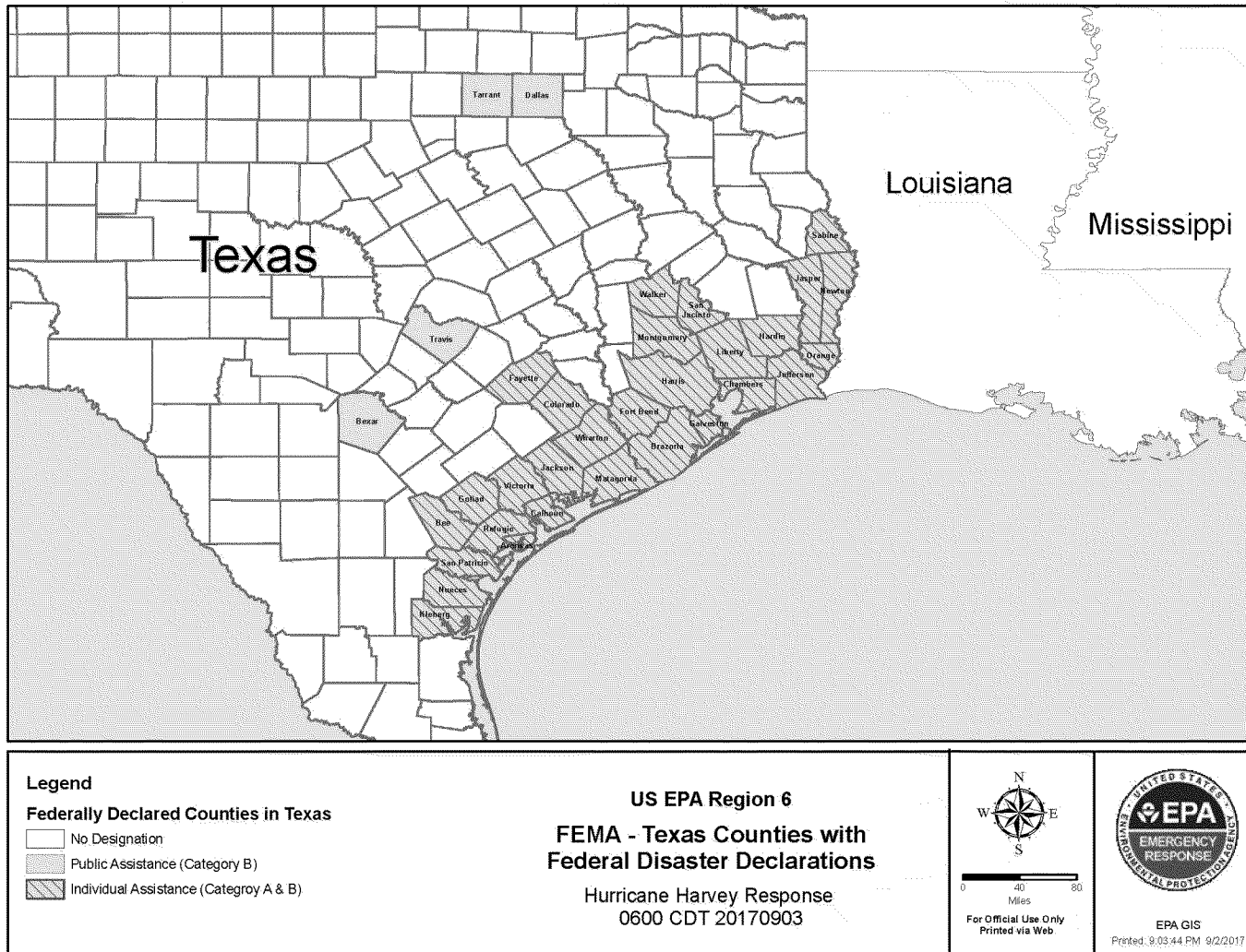
EPA GIS
Printed: 5:07:41 PM 9/2/2017

FILE: C:\incidents\Harvey\mxd\20170903\NPL_Fed_Decl_Harvey_20170903_0600.mxd 5:07:41 PM 9/2/2017 paynel

SUPERFUND NPL SITES (Continued)

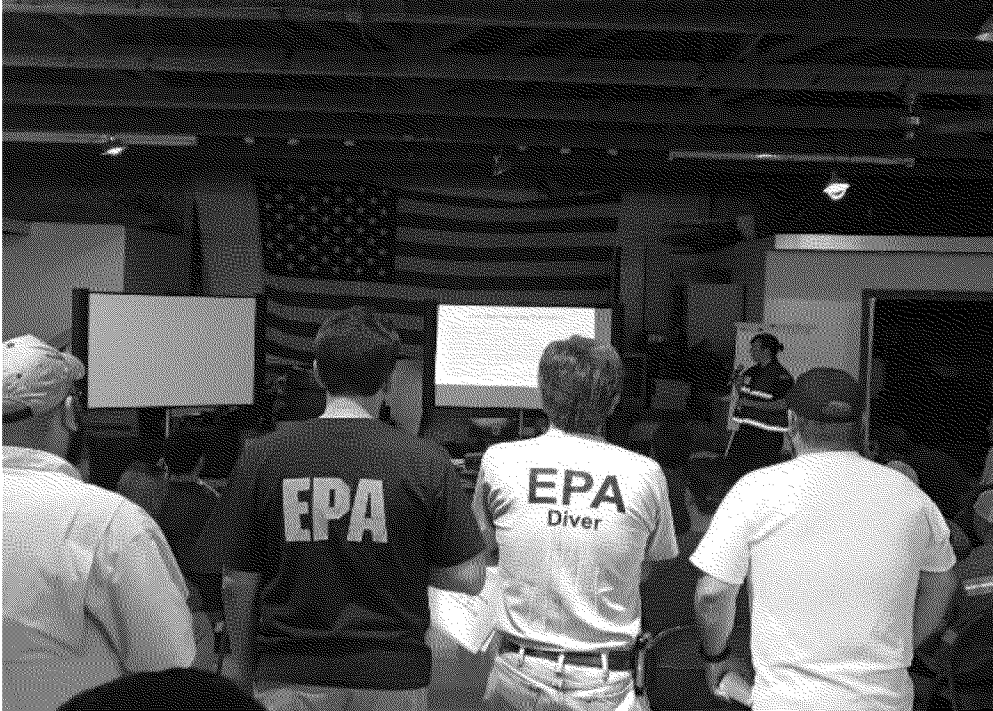
Superfund Sites within Federally Declared Counties					
Hurricane Harvey Rapid Response Assessment	Phase 1	Phase 2		Phase 3	All Phases Completed
	Rapid Response Assessment	Site Inspection Needed	Inspected	Additional Response Action	
TEXAS					
SITE NAME					
ALCOA (Point Comfort) / LAVACA BAY	8/29/17	No			8/29/2017
BAILEY WASTE DISPOSAL	9/1/17	Yes			
BRINE SERVICE CO.	8/30/17	Yes	8/30/17	No	8/30/2017
BRIO REFINING INC.	9/1/17	No			9/1/17
CONROE CREOSOTING COMPANY	9/1/17	No			9/1/17
CRYSTAL CHEMICAL CO.	8/30/17	No			8/30/17
DIXIE OIL PROCESSORS INC.	9/1/17	No			9/1/17
FALCON REFINERY	8/31/17	Yes	8/30/17	No	8/30/2017
FRENCH, LTD.	9/1/17	Yes			
GENEVA INDUSTRIES / FUHRMANN ENERGY	9/1/17	Yes			
GULFCO MARINE MAINTENANCE	9/1/17	Yes			
HARRIS (FARLEY STREET)	9/1/17	No			9/1/17
HART CREOSOTING	9/1/17	No			9/1/17
HIGHLANDS ACID PIT	9/1/17	Yes			
JASPER CREOSOTING	9/1/17	No			9/1/17
JONES ROAD GROUNDWATER PLUME	8/29/17	No			08/29/17
MALONE SERVICES COMPANY	9/1/17	Yes			
MANY DIVERSIFIED INTERESTS, INC.	9/1/17	No			9/1/17
MOTCO, INC.	8/31/17	No			8/31/2017
NORTH CAVALCADE STREET	8/29/17	No			08/29/17
PALMER BARGE LINE	9/1/17	No			9/1/17
PATRICK BAYOU	9/1/17	Yes			
PETRO-CHEMICAL SYSTEMS, INC. (Turtle Bayou)	9/1/17	Yes			
SAN JACINTO RIVER WASTE PITS	9/1/17	Yes			
SIKES DISPOSAL PITS	8/29/17	No			08/29/17
SOL LYNN / INDUSTRIAL TRANSFORMERS	8/29/17	No			08/29/17
SOUTH CAVALCADE STREET	8/29/17	No			08/29/17
STAR LAKE CANAL	8/30/17	No			8/30/2017
STATE MARINE OF PORT ARTHUR	9/1/17	No			9/1/17
TEX-TIN CORP.	9/1/17	No			9/1/17
TRIANGLE CHEMICAL COMPANY	9/1/17	Yes			
UNITED CREOSOTING CO.	9/1/17	No			9/1/17
US OIL RECOVERY	9/1/17	Yes			
LOUISIANA					
AMERICAN CREOSOTE DERIDDER	09/01/17	No			9/1/17
D.L. MUD, INC.	08/29/17	No			08/29/17
EV-R-WOOD TREATING/EVANGELINE REFINING COMPANY	09/01/17	No			9/1/2017
GULF COAST VACUUM SERVICES	08/29/17	No			08/29/17
GULF STATE UTILITIES (North Ryan Street)	08/31/17	No			8/31/2017
MALLARD BAY LANDING BULK PLANT	08/29/17	No			08/29/17
PAB OIL & CHEMICAL SERVICE	08/29/17	No			08/29/17
SBA SHIPYARD	09/01/17	No			9/1/17
Status Summary					
Rapid Response Assessment Completed	41				
Sites with no further action	28				
Sites in Phase 2	13				

FEMA – TEXAS COUNTIES WITH DISASTER DECLARATIONS



PHOTOS

Command and General Staff Meeting on September 2, 2017.



USCG and EPA Members discussing operations.



PHOTOS

OSC in Alpha Branch performing a field assessment.



PHOTOS

TCEQ/EPA/TGLO Recon flight over Rockport/Fulton on Sep 1st, 2017.



PHOTOS

TCEQ/EPA/TGLO Recon flight over Rockport/Fulton on Sep 1st, 2017.



To: sooners7, adm[sooners7@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Wed 8/30/2017 12:50:20 AM
Subject: Evening update.
8-29-17 1700Update Final.pdf
ATT00001.txt

Good recap of our actions to date, responsibilities and personnel on the ground which will rank up to a few hundred within the next two weeks.



Tropical Storm Harvey 2017 8/29/2017 – 1700 CDT Update

Highlights

Texas

EPA is currently monitoring a situation at the Arkema Facility in Crosby, Texas. EPA was notified by our representative at the State Operations Center. The facility is without power and has lost their backup power source for one of the containers. The contents of that container is approaching auto-ignition temperatures and could potentially detonate within the next 24 hours. The area is evacuated due to flooding, local first responders are in the area conducting search and rescue. These personnel are currently being evacuated from the area. EPA is working with the Department of Homeland Security to develop plume modeling to provide to local responders.

Four EPA Region 6 Incident Management Team members are mobilizing to Corpus Christi, Texas today to establish unified command. The team will rendezvous with TCEQ and the Texas General Land Office (TGLO) counterparts as well as US Coast Guard personnel to form a unified command.

Members from the National Incident Management Assistance Team (NIMAT) arrived in Dallas August 29, 2017 and is integrated into the Incident Management Team structure.

Trace Atmospheric Gas Analyzer (TAGA) vehicle is enroute from North Carolina to assist with air monitoring in the impacted areas throughout Texas and is scheduled to arrive by Friday, September 1, 2017.

Louisiana

Louisiana Department of Environmental Quality is monitoring for possible flooding. They are ready to respond if needed. As of August 29, 2017 no additional parishes have been declared.

As of Tuesday, August 29, 2017 at 1700.

Legend

- Resource Location
- Federally Declared County/Parish

**US EPA Region 6
Resources Locations Map
Hurricane Harvey Response**

Scale: 0 40 80 Miles
For General Use Only
(Not for Navigation)

EPA
EMERGENCY RESPONSE
UNITED STATES DEPARTMENT OF ENVIRONMENTAL PROTECTION

EPAHQ
Printed: 2:52:22 PM 10/28/2017

FILE: C:\epl\epa\resources\06\060229ResourcesLocationsMap\resources_06170402017_252229PM_06282017.csh

Industrial Sources

On August 29, 2017, the Texas Commission on Environmental Quality reported that Valero's Corpus Christi refinery will begin start up operations over the next four to six days. During this start-up procedure they will be running at 60% capacity.

Spill/Release Response

Hotline Calls as of 1500 on August 29, 2017	
Number of Harvey Related Calls Received During Reporting Period	8
Total Number of Harvey Related Calls to Date	36

EPA Emergency Response Assets

EPA's aerial assessment aircraft, is activated and will conduct aerial reconnaissance over the Corpus Christi area starting today, August 29, 2017, as weather permits

Surface and Flood Water Quality Monitoring

EPA has drafted incident specific surface and flood water sampling plan to address public health concerns regarding possible contaminants found in storm water. The plan has been provided to Headquarter for review.

Drinking Water / Wastewater Assessments

Preparing to mobilize teams to assist with drinking water and waste water field assessments as soon as field conditions allow.

EPA is supporting TCEQ in contacting drinking water and waste water systems. Current status as of 1700 on Tuesday, August 29, 2017. EPA deployed 10 personnel to assist TCEQ's Drinking Water and Waste Water Phone Bank located in Austin, Texas.

Drinking Water - Total # of Systems: 4422

STATUS	NUMBER OF SYSTEMS
Contact Pending	43
Out of Contact	27
On generator – lost pressure	3
No problems	172
On generator – never lost pressure	9
No Status	4141
Lost pressure & or Treatment	4
Site visit needed	2
Lifted Boil Water Notice due to negative. BacT samples. Normal ops resumed	3
Not Operating	18

Waste Water - Total # of Systems: 2453

STATUS	NUMBER OF SYSTEMS
Contact Pending - Phone evaluation only	18
Out of Contact - phone evaluation only	9
No Problems	179
No Status	2226
WWTP and/or Collection on Generator or bypass pumps for Lift Station	15
WWTP and/or Collection nonoperational no Sanitary Sewer Overflow	2
WWTP and/or Collection Partially Operational Sanitary Sewer Overflow	4

EPA Laboratory/ Analytical Services

The Houston laboratory is reporting that they will be closed until Tuesday September 5, 2017. The laboratory and office building is not damaged. EPA has back up capabilities for laboratory services should the Houston facility remain closed.

EPA's organic chemical mobile laboratory is enroute from Denver, Colorado to the Corpus Christi area. The anticipated arrival in Corpus Christi is Friday September 1, 2017. The mobile laboratory can be utilized to process environmental samples.

Data Management

Region 6 activated the National Data team to provide support data management activities in Corpus Christ. Two Data Team members have been deployed and are expected to arrive in Corpus Christi by Friday September 1, 2017.

Communications

EPA is fully integrated into the Department of Homeland Security and FEMA communication structure and management, and participates in the daily National Incident Communication Conference Line (NICCL) call. EPA has initiated its Crisis Communication Plan to ensure rapid response to providing coordinated, accurate, up-to-date information regarding its field activities. EPA Public Information Office will be established in Dallas with forward field components as needed to support the HQ Office of Public Affairs.

Refineries/Fuel Waivers

1. TEXAS: EPA has approved the State of Texas' request to extend the Texas fuel waiver to allow use of non-road diesel fuel in on-road applications. This non-road fuel has different tax treatment, and to differentiate it, is colored with red dye. We need to waive the limitations in our regulations and then IRS needs to issue a waiver as well.
2. LOUISIANA: A waiver that would allow use of 9.0lb. RVP was approved on 28 August.
3. GEORGIA: The fuels team is continuing to investigate the fuel supply issue. It is likely that we will need to issue a waiver soon.

Superfund Sites within Federally Declared Counties
8/29/2017

SITE NAME	STATE	COUNTY	STATUS SUMMARY
ALCOA (Point Comfort) / LAVACA BAY	TX	CALHOUN	No Reported Impact
BRINE SERVICE CO.	TX	NUECES	Impacted
BRIO REFINING INC.	TX	HARRIS	Impacted
CRYSTAL CHEMICAL CO.	TX	HARRIS	No Reported Impact
DIXIE OIL PROCESSORS INC.	TX	HARRIS	Impacted
FALCON REFINERY	TX	SAN PATRICIO	Impacted
FRENCH, LTD.	TX	HARRIS	Impacted
GENEVA INDUSTRIES / FUHRMANN ENERGY	TX	HARRIS	Impacted
GULFCO MARINE MAINTENANCE	TX	BRAZORIA	Status not Confirmed
HARRIS (FARLEY STREET)	TX	HARRIS	Status not Confirmed
HIGHLANDS ACID PIT	TX	HARRIS	Impacted
JONES ROAD GROUNDWATER PLUME	TX	HARRIS	No Reported Impact
MALONE SERVICES COMPANY	TX	GALVESTON	Impacted
MANY DIVERSIFIED INTERESTS, INC	TX	HARRIS	Impacted
MOTCO, INC.	TX	GALVESTON	Status not Confirmed
NORTH CAVALCADE STREET	TX	HARRIS	No Reported Impact
PATRICK BAYOU	TX	HARRIS	Impacted
PETRO-CHEMICAL SYSTEMS, INC. (Turtle Bayou)	TX	LIBERTY	Impacted
SAN JACINTO RIVER WASTE PITS	TX	HARRIS	Impacted
SIKES DISPOSAL PITS	TX	HARRIS	Impacted
SOL LYNN / INDUSTRIAL TRANSFORMERS	TX	HARRIS	Impacted
SOUTH CAVALCADE STREET	TX	HARRIS	No Reported Impact
TEX-TIN CORP.	TX	GALVESTON	Impacted
US OIL RECOVERY	TX	HARRIS	Impacted
AMERICAN CREOSOTE DERIDDER	LA	BEAUREGARD	No Reported Impact
GULF STATE UTILITIES (North Ryan Street)	LA	CALCASIEU	No Reported Impact
MALLARD BAY LANDING BULK PLANT	LA	CAMERON	No Reported Impact
SBA SHIPYARD	LA	JEFFERSON DAVIS	No Reported Impact
PAB OIL & CHEMICAL SERVICE	LA	VERMILION	No Reported Impact
GULF COAST VACUUM SERVICES	LA	VERMILION	No Reported Impact
D.L. MUD, INC.	LA	VERMILION	No Reported Impact

Legend of NPL Site Status Summary Indicators	
Impacted	Direct information of storm damage: flooding or wind
No Reported Impact	Direct information of no storm damage
Status not Confirmed	No available information-site not accessible